

# CAPUANO AND PETTY NOMINATIONS

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## HEARING BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

TO

CONSIDER THE NOMINATIONS OF DR. LINDA A. CAPUANO TO BE  
ADMINISTRATOR OF THE ENERGY INFORMATION ADMINISTRATION,  
DEPARTMENT OF ENERGY; AND DR. TIMOTHY R. PETTY TO BE AN  
ASSISTANT SECRETARY OF THE INTERIOR

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DECEMBER 5, 2017

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## CAPUANO AND PETTY NOMINATIONS

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TUESDAY, DECEMBER 5, 2017

U.S. SENATE,  
COMMITTEE ON ENERGY AND NATURAL RESOURCES,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:08 a.m. in Room SD-366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

### OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning, welcome everyone.  
The Committee will come to order.

We are here to consider two nominations this morning: Dr. Linda Capuano, to be the Administrator of the Energy Information Administration (EIA), and Dr. Timothy Petty, to be Assistant Secretary of the Interior for Water and Science.

Dr. Petty is a friend. He is a trusted advisor to many of us. We have benefited from his expertise on both water and science issues for quite some time. He is Senator Risch's Deputy Legislative Director. He has also served as a Legislative Assistant covering many issues that come before this Committee, including the Western Water and USGS issues that will be part of his portfolio at the Department of the Interior (DOI).

When Dr. Petty is confirmed it will actually mark his return to the Water and Science hallway at Interior. That is because he worked there during the Bush Administration as a Deputy Assistant Secretary and for a time as the Acting Head of the Office for which he is now nominated. Dr. Petty is very well qualified and, I think, an excellent choice for this position.

I look forward to filling out Secretary Zinke's Water Team, and I recognize that having a team of professionals in place at Interior on these issues is important to many on our Committee, not to mention millions of Americans living out in the West.

There are a lot of good things that we can say about Dr. Petty, but I would be remiss if I did not acknowledge his connection to my home state. He earned his Ph.D. from the University of Alaska, Fairbanks. Terrific. I am sure we can all agree on him and his qualifications, but certainly his choice of doctoral programs clearly demonstrates his excellent judgment.

[Laughter.]

We acknowledge that.

We will also consider the nomination of Dr. Linda Capuano to be the Administrator of the Energy Information Administration at the

Department of Energy. Dr. Capuano has broad experience in the energy and technology industries. She has held senior positions at a number of companies and co-founded a startup venture that commercialized ceramic superconductor technology. Dr. Capuano is currently a Fellow at Rice University in the Baker Institute for Public Policy Center for Energy Studies. She is also on the faculty of Rice's Graduate School of Business. Her distinct qualifications and robust work history make her a good fit to be at the helm of EIA as we move toward American energy dominance.

I welcome you both to the Committee and thank you for your willingness to serve our nation.

It would certainly be my hope and intention to move the nominations quickly, reporting you from the Committee, hopefully, as soon as next week. I would hope to confirm you both before Christmas, along with the other well-qualified Interior nominees who have been stuck on the Senate calendar now for several months, far longer than their predecessors in the previous Administration. We want to try to get these processed as soon and as expeditiously as we can.

Again, thank you both for being with us this morning. We will look forward to your comments.

I will now turn to Senator Cantwell for her comments this morning.

**STATEMENT OF HON. MARIA CANTWELL,  
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Madam Chair.

The two nominations before the Committee this morning are important because Dr. Petty and Dr. Capuano, if confirmed, will represent and be responsible for agencies where we depend on sound science and reliable data.

Public policy needs to be based on sound science and honest information. Policymakers can draw different conclusions from the facts, but they should never have the facts distorted or manipulated to justify policy choices.

It is vitally important that the scientists and economists in the Department of the Interior and Department of Energy remain independent and the integrity of their work be protected from partisan ideology. That is why the two nominations we have before us this morning are so important.

The Assistant Secretary of Water and Science is responsible for overseeing the Geological Survey which is one of the premier science agencies in the Federal Government. The Geological Survey provides the nation with science about water, energy, minerals and other natural resources, about floods, fires, earthquakes, volcanoes and other natural disasters, about the health of our ecosystems and our environment and about climate change. It is essential that this important work continue and that the scientists who do it are protected from the public interference and that their work inform policymakers rather than the other way around.

In addition, the Assistant Secretary of Water and Science oversees the Bureau of Reclamation which grew out of the Geological Survey. It is the nation's largest water supplier and the second largest producer of hydroelectric power. It provides water to mil-

lions of our citizens and millions of acres of our farm land that produce much of our food.

The job of the Administrator of Energy Information Administration is no less important. The Energy Information Administration was established in the Department of Energy to collect, analyze, evaluate and disseminate data about our energy resources and production, demand and the technology needed to manage our energy needs for the future. It also collects energy pricing data needed to protect consumers and ensure the integrity of competitive energy markets.

Simply put, the two nominees before us this morning have each been nominated to lead premier, information-gathering agencies in their departments. I am pleased that both are highly qualified and have great professional experiences.

I look forward to hearing from them on how their views on these agencies and their oversight will add to those comments I just mentioned on science and the independence and integrity of those agencies.

I welcome both the nominees and their families and friends here today, and thank you for your willingness to serve.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Risch, I would invite you to provide comments regarding Dr. Petty.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

Senator RISCH. Thank you, Madam Chairman.

It is bittersweet to do this, because Tim has been an integral member of our team.

Tim and Elaine—Elaine is here and I am sure Tim will introduce Elaine when we start—have been important to my office for the almost decade that I have been here.

Tim has had a distinguished career in public service and is exceptionally qualified to serve as the Department of the Interior's Assistant Secretary for Water and Science.

To those of us, and there's a lot of us in various offices, that do know Tim, who he has worked with, we recognize he has a deep understanding of the complex nexus of water and science. In fact, when he was working on his doctorate, he used the Boise River—which is a river system that flows directly through the capital city and which has had a history of flooding over the years and has a dam system now on it—he used this particular river to study predictability of potential flooding and used it for part of his peer reviewed journals for his doctorate.

Tim has also initiated and spearheaded the interest in many of the various Senate offices, even though he worked for me, of using geospatial mapping for a myriad of purposes, including mapping forest fires, fish and wildlife management, dam effectiveness and other resources. This geospatial mapping information has added to our already existing statistical analysis giving Senators a deeper and better understanding of their states.

Prior to joining my office, Tim served as Acting Assistant Secretary and Deputy Assistant Secretary for Water and Science at the Department of the Interior under President George W. Bush,

as you have noted Madam Chairman, and did an exceptional job there. He will be returning to that.

Previously, Tim worked in the private sector for more than 10 years in California and Indiana as a geologist and a hydrologist.

He earned a Ph.D. from the University of Alaska and, Madam Chairman, I think you properly note that the University of Alaska has an outstanding program for the discipline that he is interested in.

Working with Tim for these years, I am confident that he will approach each issue that comes before him with the same thoughtfulness and deliberate consideration that I have seen firsthand. Although I really hate to lose Tim, I mean that sincerely, I know that the Department of the Interior and the United States of America will benefit from his experience and expertise at the agency. I commend him to the Committee and to the Senate.

Madam Chairman, I would like to have introduced for the record some communications from a number of organizations that are supporting this, the National Water Resources Association, Idaho Water Users Association, California Waterfowl, Delta Waterfowl, the Tehama-Colusa Canal Authority and the University of Alaska, Fairbanks, all of whom are supporting the nomination.

[Laughter.]

The CHAIRMAN. They will certainly be incorporated as part of the record, and we will put an asterisk next to the one from the University of Alaska, Fairbanks.

[Laughter.]

Senator RISCH. Thank you, Madam Chairman.

The CHAIRMAN. Thank you, Senator Risch.

[The information referred to follows:]





Senator Lisa Murkowski  
Chair  
U.S. Senate Committee on Energy and Natural Resources

Dear Senator Murkowski,

Dr. Timothy Petty, a doctoral graduate of the University of Alaska Fairbanks, has been nominated to serve as the Assistant Secretary for Water and Science at the Department of the Interior. I wholeheartedly support his nomination for this important position.

I have had the pleasure of knowing Tim for six years. In that time, Tim has impressed me with his intelligence, work ethic, and creativity. Tim just completed a feat few people accomplish; he completed a Ph.D. degree via distance learning while working full time as Senator Risch's Legislative Director. Tim developed a novel way of predicting flood heights under circumstances when stream gauges had been destroyed. I have read the peer-reviewed journal articles that resulted from this work; they are impressive in their importance to the field of hydrology and their potential impact on flood hazard prediction and mitigation. Tim also filed for a patent as a result of his doctoral work, another sign that his work was novel and important.

I will always be grateful to Tim for identified the need for mapping capability in the U.S. Senate Committee on Energy and Natural Resources and, along with Mark Myers, the former Director of the United States Geological Survey, encouraging me to consider becoming a Congressional Fellow for the Committee to fill that need. Tim's advocacy on my behalf led to my serving the Committee for a very enjoyable, challenging, and productive 19 months. My time with the Committee allowed me to bring a better understanding of how the legislative process works back to the University of Alaska Fairbanks. It also positioned me to become the Director of the Alaska Center for Unmanned Aircraft Systems Integration, one of the top unmanned aircraft programs in the country.

I strongly support Tim Petty's nomination to be the Assistant Secretary for Water and Science at the Department of the Interior. I believe his Geology background, hydrology doctorate, and industry, Department of Interior, and legislative experience provide him with the depth and breadth of knowledge needed to excel in this position.

If you have any questions about Tim or his qualifications, please do not hesitate to contact me at 907-474-6905 or [cfcahill@alaska.edu](mailto:cfcahill@alaska.edu).

Sincerely,

Dr. Catherine F. Cahill  
Director, Alaska Center for Unmanned Aircraft Systems Integration  
University of Alaska Fairbanks



December 4, 2017

Chairman Lisa Murkowski and Ranking Member Maria Cantwell  
U.S. Senate Committee on Energy & Natural Resources  
304 Dirksen Senate Building  
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell,

Delta Waterfowl and the California Waterfowl Association are writing to express our enthusiastic support for Dr. Tim Petty's nomination for the Assistant Secretary of Interior (Water and Science).

Our organizations both share a common interest in water issues as the habitat needs of waterfowl are closely aligned with available water resources providing for both natural and managed wetland functions. As an example, water decisions made in the Central Valley and Klamath Basin have significant implications for migrating and wintering waterfowl and waterfowl hunters.


Dr. Petty has demonstrated his exceptional qualifications through a career which spans a number of important roles including Acting Secretary during the George W. Bush Administration as well as serving a number of members of the Senate on resource issues. Tim has revealed his professionalism, commitment to science and understanding of water issues throughout his career.

His ability to navigate challenging issues in a manner that is guided by sound science, fairly weighing a myriad of viewpoints and his judgement make him an excellent nominee. Additionally, Tim has successfully worked in the complex world of western water issues and as such, will help Interior make sound decisions and guide policy making.

As organizations that respect science driven policy making and who are stakeholders to a variety of western water issues, we are confident Dr. Tim Petty will serve Secretary Zinke, Interior and the resources of the American public very well.

Thank you for your consideration of our perspective and we urge your support of Dr. Tim Petty in his hearing before the Committee on December 5<sup>th</sup>.

Sincerely,

  
John L. Devney  
Vice President, U.S. Policy

  
Mark Hennelly  
Vice President Legislative Affairs & Public Policy



*Protecting Water for Western Irrigated Agriculture*

P.O. Box 216 Klamath Falls, OR 97601  
(541)-892-6244 [www.familyfarmalliance.org](http://www.familyfarmalliance.org)

November 30, 2017

The Honorable Lisa Murkowski, Chairwoman  
The Honorable Maria Cantwell, Ranking Member  
Committee on Energy and Natural Resources  
United States Senate  
304 Dirksen Senate Building  
Washington, DC 20510

Dear Chairman Murkowski, Ranking Member Cantwell and Members of the Committee:

On behalf of the Family Farm Alliance (Alliance), we appreciate the opportunity to strongly endorse Dr. Timothy Petty as the next Assistant Secretary for Water and Science of the U.S. Department of the Interior (Interior).

The Alliance is a grassroots organization of family farmers, ranchers, irrigation districts and allied industries in 16 Western states. The Alliance is focused on one mission: To ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers. We are also committed to the fundamental proposition that Western irrigated agriculture must be preserved and protected for a host of economic, sociological, environmental and national security reasons – many of which are often overlooked in the context of other national policy decisions.

The Assistant Secretary for Water and Science oversees the Bureau of Reclamation, the federal water agency specifically responsible for water supplies in the West, and the U.S. Geological Survey (USGS), the sole earth science agency for the Department of the Interior and the federal government.

Our organization works constructively with many federal departments and agencies, but the relationship we have with the Department of the Interior – and particularly, with the Bureau of Reclamation – is our closest. Thus, this appointed position is critically important to our organization and our Western membership.

We believe Dr. Petty is a strong leader; a well-respected professional and a person with vision, common sense and high ethical standards. We have worked with Dr. Petty in the past on several Western water issues and believe he understands the unique challenges faced by rural agricultural producers living in states where the federal government is the majority landowner and plays a significant role in the management of land and water that can impact our members.

Dr. Petty has extensive federal policy-level experience gained from his prior experience on Capitol Hill and at the Department of the Interior. He currently serves as Deputy Legislative Director and Legislative Assistant on issues of water, natural resources, environment, science, technology and telecommunications and space for U.S. Senator James E. Risch of Idaho, also a member of the Senate Committee on Energy and Natural Resources. Previously, Dr. Petty served as Acting Assistant Secretary and Deputy Assistant Secretary for Water & Science at Interior under President George W. Bush. He earned a Ph.D. from the University of Alaska Fairbanks; an M.S. from University of

Maryland University College; and a B.S. from Purdue University (Indiana). Prior to his current Senate service, Dr. Petty worked for U.S. Senators Connie Mack of Florida and Rick Santorum of Pennsylvania. In addition, he worked in California and Indiana as a geologist and hydrogeologist.

Dr. Petty has extensive practical experience with the Bureau of Reclamation and the USGS's many critical Western water issues. His experience on Capitol Hill, his past leadership role at Interior, and his technical and professional expertise make him uniquely qualified to oversee the two agencies of critical importance to Western irrigators.

It is our hope and expectation that Dr. Petty will bring a level of practical experience, empathy for rural producers, and intelligence into this position that will serve not only the interests of the federal government, but also farmers and ranchers throughout the Western United States.

Quite simply, we believe Dr. Tim Petty is the perfect fit for this important position.

The Family Farm Alliance respectfully requests your support for Dr. Tim Petty's nomination as the next Assistant Secretary of the Interior for Water and Science. We know he will serve the Department, the Administration, and our Nation very well in this important position.

Sincerely,



Patrick O'Toole  
President



Dan Keppen  
Executive Director



## Idaho Water Users Association, Inc.

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 Hazelton - At-Large  
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 Boise - Associate  
 SCOTT KING  
 Boise - Associate

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December 1, 2017

The Honorable Lisa Murkowski, Chairwoman  
 The Honorable Maria Cantwell, Ranking Member  
 Committee on Energy and Natural Resources  
 United States Senate  
 304 Dirksen Senate Building  
 Washington, DC 20510

*RE: Support for Dr. Timothy Petty as Assistant Secretary for Water and Science*

Dear Chairman Murkowski, Ranking Member Cantwell and Members of the Committee:

On behalf of the Idaho Water Users Association ("IWUA"), I strongly endorse Dr. Timothy Petty as the next Assistant Secretary for Water and Science of the U.S. Department of the Interior ("Interior").

Formed in 1937, IWUA is a non-profit corporation representing 300 canal companies, irrigation districts, water districts, ground water districts, municipal and public water suppliers, hydroelectric companies, aquaculture interests, agri-businesses, professional firms, and individuals throughout the State of Idaho – all dedicated to the wise and efficient use of Idaho's water resources.

IWUA members throughout Idaho rely on storage facilities owned and operated by the Bureau of Reclamation ("Reclamation"). Along the Snake River Basin (in Southern Idaho), for example, water users rely on Reclamation storage projects for the irrigation of nearly 2.4 million acres. Recent financial information shows that the economic contribution of these facilities is nearly \$4 billion per year (considering crops, livestock, hydropower generation, recreation and flood damage prevention).

IWUA and its members interact with Reclamation more than any other federal agency – at both the local and federal level. We work closely with Reclamation to ensure that our water users can continue raising the crops and livestock feeding our nation and others throughout the world.

The Honorable Lisa Murkowski  
The Honorable Maria Cantwell  
December 1, 2017  
Page 2

Given the interface of Idaho's water users with Reclamation, IWUA and its members have a strong interest in Reclamation's leadership. As Assistant Secretary for Water and Science, Dr. Petty will oversee Reclamation.

Dr. Petty is a strong leader who is well-respected for his knowledge and experience in addressing Western water issues. He previously served as Acting Assistant Secretary and Deputy Assistant Secretary for Water and Science at Interior under President George W. Bush. More recently, he served as Deputy Legislative Director and Legislative Assistant on issues of water, natural resources, environment, science and technology for U.S. Senator James E. Risch (Idaho), also a member of the Senate Committee on Energy and Natural Resources. This service provides Dr. Petty with the necessary experience and knowledge to excel as Assistant Secretary for Water and Science.

In addition, while serving in these positions, IWUA and its members have interacted with Dr. Petty on several occasions. His expertise and technical experience has proven to be an invaluable benefit to Idaho's water users – as well as other agricultural water users throughout the West.

Dr. Petty's knowledge and experience make him the perfect choice for this important position. His background gives him the ability to understand complex, technical issues and will make him a valued member of Interior.

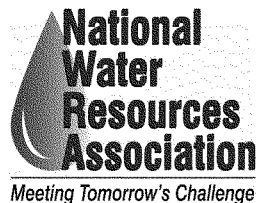
Accordingly, IWUA respectfully requests your support of Dr. Tim Petty's nomination as the next Assistant Secretary for Water and Science. We are confident that he will provide outstanding service to this Administration and our Nation.

Sincerely,



Paul L. Arrington  
Executive Director / General Counsel

PLA:kje



President – Ron Thompson  
 Vice President – Cheryl Zittle  
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 Executive Vice President – Ian Lyle

December 1, 2017

The Honorable Lisa Murkowski  
 Chair  
 Committee on Energy and Natural Resources  
 United States Senate  
 304 Dirksen Senate Office Building  
 Washington, DC 20510

The Honorable Maria Cantwell  
 Ranking Member  
 Committee on Energy and Natural Resources  
 United States Senate  
 304 Dirksen Senate Office Building  
 Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

On behalf of the Board of Directors and membership of the National Water Resources Association (NWRA), I write to express our strong support for the nomination of Dr. Tim Petty to be Assistant Secretary for Water and Science at the Department of the Interior.

Dr. Petty is highly experienced in crafting and implementing effective water policy. He holds a PhD in civil and environmental engineering and spent 10 years as a private sector geologist and hydrologist before serving as a senior analyst at the U.S. Department of Energy. During the George W. Bush Administration, Dr. Petty served as Deputy Assistant Secretary for Water and Science at the Department of the Interior. He currently serves as Deputy Legislative Director for Senator James Risch (R-ID).

Western water users face many difficult challenges. In order to meet those challenges, the Department of the Interior must be led by experienced, committed, and knowledgeable leaders who can work cooperatively to solve complicated water issues. Dr. Petty's experience in the legislative and executive branches of government as well as the private sector will allow him to collaborate with a variety of stakeholders. He is an exceptionally qualified individual who brings a critical combination of scientific understanding and on-the-ground experience to water management. He is therefore an ideal candidate to serve as the Assistant Secretary for Water and Science.

I urge you to work with your Senate colleagues to confirm Dr. Petty's nomination as soon as possible. NWRA looks forward to working with you and Dr. Petty to address the many water issues facing the West.

Thank you for your time and consideration of Dr. Petty's nomination.

Sincerely,

Ian Lyle  
 Executive Vice President



December 4, 2017

The Honorable Lisa Murkowski  
Chairman  
Senate Energy & Natural Resources Committee  
304 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Murkowski:

The Public Lands Council (PLC) and the National Cattlemen's Beef Association (NCBA) would like to take this opportunity to express our support for the confirmation of Dr. Timothy R. Petty to be Assistant Secretary of Interior for Water and Science. PLC is the only national organization dedicated solely to representing the roughly 22,000 ranchers who hold federal grazing permits and operate on federal lands. NCBA is the beef industry's largest and oldest national marketing and trade association, representing American cattlemen and women who provide much of the nation's supply of food and own or manage a large portion of America's private property.

Dr. Petty is well qualified for this position, having previously worked as a geologist and hydrogeologist across the country. Under President George W. Bush, he served as Deputy Assistant Secretary of Water and Science and later as Acting Assistant Secretary of the same office. After leaving Interior, Dr. Petty worked in the office of Senator James E. Risch as the Deputy Legislative Director and Legislative Assistant on the same issues he will head if confirmed to this position. Considered a leading expert in his field, Dr. Petty holds degrees from academic institutions across the country, and has a wide range of scientific experience. PLC and NCBA are proud to support his nomination.

Western ranchers own approximately 120 million acres of the most productive private land in the west and manage nearly 250 million acres of public land. Ranchers who hold grazing permits on public land do vital work that benefits public land including the improvement of water sources, improvement of wildlife habitat, and maintaining the open space that Americans enjoy. Having leadership at the Department of Interior who understand the agriculture industry and role it plays in the stewardship of America's public lands is vital to ensure the continuity of this national heritage.

PLC and NCBA appreciate the opportunity to provide our input on behalf of our members – the nation's food and fiber producers. We urge swift confirmation of Dr. Timothy R. Petty.

Sincerely,

Dave Eliason  
President  
Public Lands Council

Craig Uden  
President  
National Cattlemen's Beef Association



# *Tehama-Colusa Canal Authority*

P.O. BOX 1025 • 5513 HWY 162, WILLOWS, CA 95988 • Phone: (530) 934-2125 • Fax: (530) 934-2355

December 1, 2017

The Honorable Lisa Murkowski  
Chairman  
Committee on Energy & Natural Resources  
United States Senate  
522 Hart Senate Office Building  
Washington, DC 20510

The Honorable Maria Cantwell  
Ranking Member  
Committee on Energy & Natural Resources  
United States Senate  
511 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

On behalf of the Tehama-Colusa Canal Authority (TCCA), I appreciate the opportunity to offer my strong support for Dr. Tim Petty as the next Assistant Secretary for Water and Science of the U.S. Department of the Interior.

The TCCA is a Joint Powers Authority comprised of seventeen Water Districts all of which are Central Valley Project (CVP) Water Service Contractors. The 150,000-acre service area the TCCA serves spans four counties along the West side of the Sacramento Valley, providing irrigation water to a diverse agricultural landscape and over 1,000 family farms that produce a variety of high value crops, including: almonds, walnuts, olives, pistachios, grapes, and rice. The water provided to these lands results in an annual regional economic benefit of over \$1 billion.

TCCA maintains a strong relationship with the Department of the Interior and the Bureau of Reclamation. The Bureau of Reclamation is the federal water agency specifically responsible for water supplies in the West. Thus, the position of Assistant Secretary for Water and Science, which oversees the Bureau of Reclamation as well as the U.S. Geological Survey (USGS), is critically important to our organization and the farms and communities we serve.

Dr. Petty is a well-respected leader and professional with high ethical standards. TCCA has worked with Dr. Petty in the past on multiple Western water issues and believe he understands the unique challenges facing California and the Central Valley. Dr. Petty has extensive federal policy level experience gained from his prior service on Capitol Hill and the Department of the Interior. Currently, he serves as the Deputy Legislative Director and Legislative Assistant responsible for the issues of water, natural resources, environment, science and technology for Senator James Risch of Idaho—a member of the Senate Committee on Energy and Natural Resources. Previously, Dr. Petty served as Acting Assistant Secretary and Deputy Assistant Secretary for Water & Science at Interior under President George W. Bush.

Dr. Petty earned a Ph.D. from the University of Alaska Fairbanks, and M.S. from the University of Maryland University College, and a B.S. from Purdue University. Prior to his current Senate service, Dr. Petty worked for Senators Connie Mack and Rick Santorum and worked as a geologist and hydrogeologist in California and Indiana.

TCCA respectfully requests your support for Dr. Tim Petty's nomination as the Assistant Secretary of the Interior for Water and Science. Dr. Petty's extensive practical experience with the Bureau of Reclamation and the USGS, his experience on Capitol Hill and at Interior, and his technical and professional expertise make him uniquely qualified to oversee these two agencies. We believe Dr. Petty is the perfect fit for this critical position. We know he will serve the Department and the Administration well.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeff Sutton", with a stylized flourish at the end.

Jeffrey P. Sutton  
General Manager  
Tehama-Colusa Canal Authority

The CHAIRMAN. At this time, I would ask that you both rise. The rules of the Committee which apply to all nominees require that they be sworn in connection with their testimony. So now that you have risen, please raise your right hand.

Do you solemnly swear that the testimony you are about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth and nothing but the truth?

[Both answer, I do.]

The CHAIRMAN. Before you begin your statements, you may go ahead and be seated, I will ask you three questions addressed to each nominee before the Committee.

Will you be available to appear before this Committee and other Congressional committees to represent departmental positions and respond to issues of concern to the Congress?

[Both answer, yes.]

The CHAIRMAN. Are you aware of any personal holdings, investments or interests that could constitute a conflict or create an appearance of such a conflict should you be confirmed and assume the office to which you have been nominated by the President?

[Both answer, no.]

The CHAIRMAN. Are you involved or do you have any assets held in blind trusts?

[Both answer, no.]

The CHAIRMAN. Okay. At this point in time I would ask each of you to provide the Committee a little bit of your background as well as the opportunity to introduce any family or strong supporters you may have with you. We certainly encourage that as well.

Dr. Petty, we will begin with you, if you would like to proceed.

**STATEMENT OF DR. TIMOTHY R. PETTY, NOMINATED TO BE  
AN ASSISTANT SECRETARY OF THE INTERIOR**

Dr. PETTY. Thank you Chairman Murkowski, Ranking Member Cantwell and obviously, the distinguished members of this Committee.

I also want to thank you, Senator Risch, for your kind introduction, but more important, even your leadership and service to the State of Idaho and to the United States. You have been a real leader to me and to many.

It is a distinct honor and a privilege to appear before you today as President Trump's nominee to serve the American people as Assistant Secretary for Water and Science at the Department of the Interior. I wish to thank Secretary Zinke for his support and confidence in this position.

I would like to take a moment and acknowledge my wife, Elaine Petty, here behind me, and actually, one of my four siblings, Pam, who is also here and traveled from Indiana to be here with me today. I would also like to just mention and thank a lot of my friends and colleagues who are here with me as well, who have been a huge support in insight for me for these many years, who are also joining us today.

So if I may, I was born and raised on a family farm in Grant County, Indiana. I am proud to be the son of Esther and Morris Petty. My father, a farmer and a large animal cattle breeder, was

killed in an automobile accident when I was but a young individual, and my amazing mother raised five of us on the family farm.

Working on the family farm, cultivating agricultural fields, harvesting fall crops, milking cows, bailing hay and watching the growth of life all around me was fundamental in preparation for my entire career. My mother raised all of us kids with strong family values, a solid work ethic, genuine integrity, a high commitment to education and a belief in God.

I was inspired to study Earth science from a young age. Our farm was bordered by an important river and watershed in the northeastern part of Indiana and the water fascinated me. A stone quarry and gravel pit was also on our property which also created the love for geology at an early age as well.

This interest led me to pursue a Bachelor of Science degree in Geoscience at Purdue University. I then worked in Indiana, California and abroad as a staff geologist and hydrogeologist, learning the trade of ground surveying, mapping, surface and sub-surface hydrology, earthquake investigation, groundwater contamination as well as water quality research.

After working in the private sector, I joined the staff of the Senate Republican Conference, under two consecutive Chairmen, Senator Connie Mack of Florida as well as Senator Rick Santorum of Pennsylvania. During that time, I also earned a Master's Degree in Business from the University of Maryland to help hone my management and technology skills.

While still working in the Legislative Branch, I was tapped to be the Deputy Assistant Secretary for Water and Science under and with Secretary Kempthorne.

At DOI, I supported the leadership of the U.S. Geological Survey and the Bureau of Reclamation. This included providing oversight in policy and technical review of programs that are so vital, including stream gauge, irrigation water demand, ground monitoring, earthquakes, volcanoes, geospatial mapping, just to name a few.

Also, I want to highlight that Secretary Kempthorne also designated me at that time at DOI to represent several groups including the Executive Principal to the Gulf Coast Hypoxia Task Force as well as the DOI principal review team leader for the Interagency Panel for Climate Change.

At the end of the Bush Administration, I returned to the Legislative Branch to work for Senator Risch. Senator Risch was so kind to outline so many of those different areas, but while also working with him here in the Senate, I received my Ph.D. in Water Science and Policy at the School of Engineering and Mining at the University of Alaska.

Together, I believe my experience and education has prepared me for this position to effectively serve the American people. I commit myself to provide the best-informed advice possible for Secretary Zinke. I will listen to and work with the Committee and Congress in these areas.

Chairman Murkowski, Ranking Member Cantwell and members of the Committee, I thank you again for the consideration of my nomination. Throughout my time in the Senate, I have had the privilege of working with virtually every member on the Committee

and more specifically, the staff, in a good faith effort to build consensus and workable solutions on these issues before us.

If confirmed, I look forward to continuing those efforts as we pursue the common goal of securing American water and science future. I look forward to answering any of your questions.

[The prepared statement of Dr. Petty follows:]

PREPARED STATEMENT OF TIMOTHY R. PETTY, Ph.D.

NOMINEE FOR

ASSISTANT SECRETARY FOR WATER AND SCIENCE

U.S. DEPARTMENT OF INTERIOR

BEFORE THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

Thank you Chairman Murkowski, Ranking Member Cantwell, and the distinguished Members of the Committee. Thank you, Senator Risch, for your kind introduction, and for your leadership and service to the great state of Idaho and the United States.

It is a distinct honor and privilege to appear before you today as President Trump's nominee to serve the American people as Assistant Secretary for Water and Science at the Department of the Interior. I wish to thank Secretary Zinke for his support and confidence in me for this position. Today, I ask for your consideration and consent to the President's nomination.

I would like to start by introducing my family here with me today: My wife, Elaine Petty. One of my four siblings, Pam, who traveled from Indiana to be here. I'd like to thank them, and a number of my friends who are also here, who have been a great support for many years.

I would like to begin with a short, personal introduction to help provide some background for how I came to be here today.

I was born and raised on a family farm in Grant County, Indiana. I am proud to be the son of Esther and Morris Petty. My father, a farmer and large animal cattle breeder, was killed in an automobile accident when I was young, and my amazing mother raised five children on the farm. I attended public schools and developed a life-long love of being outdoors on the land. Working on the farm with my family, cultivating agricultural fields, harvesting fall crops, milking cows, bailing hay, and watching the growth of life all around me was foundational in preparation for my entire career. My mother raised all of us kids with strong family values, solid work ethics, genuine integrity, a high commitment to education and belief in God.

I was inspired to study earth science from a young age. Our farm was bordered by an important river and watershed in the northeast part of Indiana and the water fascinated me. A stone quarry and gravel pit on our property created curiosity and then a love for geology.

This interest led me to pursue a Bachelor of Science in Geosciences at Purdue University. I then worked in Indiana, California, and abroad as a staff geologist and hydrogeologist with a number of geo-technical and geoscience engineering firms, learning the trade of ground surveying,

mapping, surface and sub-surface hydrology, earthquake investigation and ground water contamination and water quality research.

After working in the private sector, I joined the staff of the Senate Republican Conference, under two consecutive Chairmen: Senator Connie Mack of Florida and Senator Rick Santorum of Pennsylvania. This time, in the late 1990's and early 2000's, was a period when Congress was focusing on digital communication transformation and I had the good fortune of working to accomplish this with a bipartisan team of Senate staff. During this time, I also earned a Master's Degree in Business Administration from the University of Maryland to help hone my management and technology skills.

While still working in the legislative branch, I was asked by the George W. Bush administration to bring my earth science, policy, and communications experience to the executive branch at the Department of the Interior. I was tapped to be the Deputy Assistant Secretary for Water and Science under Secretary Kempthorne.

At DOI, I supported the leadership of the U.S. Geological Survey and the Bureau of Reclamation. This included providing oversight of the policy and technical review of programs such as stream gages, irrigation water demand, ground monitoring of earthquakes, volcanoes, geospatial mapping, and LandSat 5, 7 and (then) future 8 satellite imagery.

In addition, Secretary Kempthorne designated me to be the DOI representative as the Co-Chair of the Extended Continental Shelf Task Force; the Executive Principal to the Gulf Coast Hypoxia Task Force; DOI Liaison on Antarctic Treaty Summit; Ex-Officio for the National Bio-Defense Science Board; Executive Principal on the National Bio-surveillance Interagency Team; the DOI principal review team leader for the Interagency Panel for Climate Change, and the senior executive representing the President of the United States for the science agreement with Vietnam on the Mekong Delta.

At the end of the Bush administration, I returned to the legislative branch to work for Senator Risch. For the past 9 years, as Deputy Legislative Director and Legislative Assistant, I have been responsible for a broad portfolio of policy issues, including Water Resources, Hydroelectric Dams, Environmental Protection, Climate Science, Technology, Science research, NASA, Cyber-security, Infrastructure, and Telecommunications. This includes supporting Senator Risch on this committee in areas addressing Indian water rights settlements including Idaho Nez Perce tribe, Coeur d'Alene tribe, Shoshone-Bannock tribes, hydropower, Biological Options in the Columbia River Basin, aquifer recharge projects, to name a few.

While working at the Senate, I received my Ph.D. in Water Science and Policy in the School of Engineering and Mining at the University of Alaska Fairbanks. I took a practical approach in my research for my dissertation in surface hydrology that was inspired by my previous service in DOI and my observations of the need for more timely warnings with flood hazards.

Together, I believe my experience and education has prepared me for this position to effectively serve the American people. I look forward to applying my full energy and commitment to advancing the U.S. earth science and water innovation. I commit myself to provide the best-informed advice possible to Secretary Zinke. I will listen to and work with this Committee and Congress, with the earth science communities, and with the western water communities. I look forward to working with the impressive employees at the Bureau of Reclamation and the USGS, who use their expertise every day to deliver good science in order to address earth science and water resources for the American people.

Chairman Murkowski, Ranking Member Cantwell, and members of the Committee, I thank you again for considering my nomination. Throughout my time in the Senate, I have had the privilege to work with virtually every member of this committee and their staff in a good faith effort to build consensus and workable solutions to the issues before us. If confirmed, I look forward to continuing those efforts as we pursue the common goal of securing America's water and science future.

I look forward to answering any questions you may have.



The CHAIRMAN. Thank you, Dr. Petty.  
Dr. Capuano, welcome.

**STATEMENT OF DR. LINDA A. CAPUANO, NOMINATED TO BE  
ADMINISTRATOR OF THE ENERGY INFORMATION ADMINIS-  
TRATION**

Dr. CAPUANO. Thank you.

Chairman Murkowski, Ranking Member Cantwell and distinguished members of the Committee, it's an honor and privilege to appear before you as the nominee for Administrator of the Energy Information Administration.

I'm grateful to the President and to Secretary Perry for their confidence in trusting me with this important assignment.

EIA is the statistical and analytical agency of the Department of Energy. It collects and disseminates a wide range of energy information covering energy production, stocks, demand, imports, exports, prices, technologies and emissions. As a researcher and analyst, I appreciate the importance of EIA's independent role in providing unbiased information and analysis to inform policymakers, markets and members of the public in making informed energy decisions across the public and private sector.

If confirmed by the Senate, I will bring to the position the experience of a career that began with applying materials science and engineering to products in computer memory, semiconductors and power units and evolved to a focus on energy in the electricity and petroleum sectors.

I've also spent my career planning for and managing change. The rapidity that which technology is changing, everything from the production of oil and gas to the integration of distributed generation including storage technologies and microgrids, is a challenge for EIA that I would willingly embrace.

I understand the important role that all of our fuels play in delivering energy to consumers. I understand this Committee has had specific requests of EIA, an analysis of energy and financial markets, energy consumption surveys and expanded coverage of distributed generation.

If confirmed, these programs would remain a priority and I would work closely with the Committee on these and other matters.

Thank you and I look forward to answering your questions.

[The prepared statement of Dr. Capuano follows:]

**Opening Statement  
Linda Ann Capuano  
Nomination Hearing  
United States Senate  
Committee on Energy and Natural Resources**

Chairman Murkowski, Ranking Member Cantwell, distinguished members of the Committee it is an honor and a privilege to appear before you today as the nominee for Administrator of the Energy Information Administration (EIA). I am grateful to the President and to Secretary Perry for their confidence in trusting me with this important assignment.

Created by Congress in 1977, EIA is the statistical and analytical agency of the Department of Energy. It collects and disseminates a wide range of energy information covering energy production, stocks, demand, imports, exports, prices, technologies and emissions. EIA's mission is to provide policy neutral data, forecasts and analysis to promote sound policymaking, efficient markets and public understanding regarding energy and its interaction with the economy and the environment. EIA also prepares short term forecasts, long term projections and other analyses and special reports on topics of current interest to Congress and to the executive branch. By law EIA prepares products independently of policy positions taken within the Federal Government. As such, it is the Nation's premier source of unbiased energy data, analysis and forecasting.

As a researcher and analyst, I appreciate the importance of EIA's independent role in providing unbiased information and analysis to inform policymakers, markets and members of the public in making informed energy decisions across the public and private sectors. If confirmed by the Senate, I will bring to the position the experience of a career that began with applying materials science and engineering to products in computer memory, semiconductors and power units, and evolved to a focus on energy in the electricity and petroleum sectors.

My early academic training in chemistry and chemical engineering at S.U.N.Y. (Stony Brook) and the University of Colorado Boulder led to my first professional position at IBM where my responsibilities included design specifications, statistical process control and product performance. My doctorate at Stanford University included work in statistical multivariate and trend analysis, which, combined with my financial modeling and forecasting experience as CFO of Conductus Inc., a Silicon Valley startup, as well as General Manager at Honeywell Aerospace has given me sufficient practical experience in applied economics and statistics to make me familiar with the discipline and techniques of the work required by the EIA.

My early background naturally led to my focus on energy. I have served on the boards of the California Independent System Operator (2007-10) and Peak Reliability since 2013. Peak provides real-time, interconnection-wide oversight of the Bulk Electricity System (BES) within the Western Electricity Coordinating Council (WECC) footprint, and coordinates necessary real-time and seasonal planning and modeling and ensures that data critical to the reliable and efficient grid operation is shared appropriately. I also led the technology organization at Marathon Oil Corporation (2008-2013), an energy company engaged in exploration and production and integrated oil and gas operations.

In 2012, I had the opportunity to participate on the National Petroleum Council report “Advancing Technology for America’s Transportation Future.” As chair of the coordinating subcommittee, I worked closely with some of the highly skilled and dedicated people at EIA. That experience gave me a view into the complexity of EIA’s work in gathering information that links the transportation and energy sectors, especially with so many individual entities involved.

My experiences in the energy sector over the past decade have made me acutely aware of how critical information is to the country’s economy. To take just one example, the nation’s grid involves the coordination of many entities, technologies and fuels across multiple state boundaries.

I have also spent my career planning for and managing change. The rapidity with which technology is changing everything from the production of oil and gas to the integration of distributed generation, including storage technologies and microgrids, is a challenge for EIA that I am eager to embrace.

I understand the important roles that all of our fuels play in delivering energy to consumers. I have been impressed with EIA’s ability to engage in developing information and reporting on the dramatic change in our oil and natural gas outlook, including starting an innovative approach to assessing productivity. I understand that other areas of EIA work were directly requested by this Committee, such as analysis of energy and financial markets and the energy consumption surveys of commercial and residential buildings. These programs would remain a priority under my leadership. If confirmed, I would fully support the innovations already made by EIA and would continue to seek new methods and tools to streamline and improve data collection and dissemination.

EIA has and will play an important role in communicating energy information and increasing public understanding at all levels. There are important challenges for the Energy Information Administration in this dynamic energy environment and I look forward to leading this distinguished organization to set and achieve goals. If confirmed, I will work closely with the Committee on these and other matters.

Thank you and I look forward to answering your questions.

The CHAIRMAN. Thank you, Dr. Capuano.

We will begin with five-minute rounds so we may have an opportunity for a second round for folks, if they are so inclined.

Dr. Petty, let me start with you.

I talk a lot in this Committee about the growing dependency that we have in this nation when it comes to minerals. When I say dependency, it is a dependency on outside sources.

Last year the United States imported 100 percent of 20 different minerals and at least 50 percent of another 30. I have likened it to the situation that we were in some years back when we were always talking about our reliance overseas for oil and how that made us vulnerable as a nation from an energy security perspective but also from a national security perspective.

We are doing much better on the oil side but, in my view, we are going in the wrong direction when it comes to mineral security. Can you speak, just briefly, to the role that you believe that USGS can play in our efforts to lessen that dependency and whether you think that the agency, USGS, requires additional statutory authority that might be helpful or necessary to address this?

Dr. PETTY. Yes, thank you, Senator.

Absolutely. Your opening comments, specifically on minerals, is really a critical aspect, both obviously, for Alaska in working these many years, even with the State of Idaho, critical minerals are in both of these locations.

With USGS being able to be the principle gathering of that information on those specific type of minerals, it is critical that we give full support to the U.S. Geological Survey in these priorities.

I've been here for many years of the briefings that have actually taken place in this hearing room and with the testimonies that the different experts from the U.S. Geological Survey, who have come to this specific Committee, highlighting the importance and gathering that information.

It is up to, obviously, the Committee to continue giving direction and support to how the U.S. Geological Survey can support each one of the individual states and members, as well as this whole country in those important value of those minerals.

So I look forward to working with you and your staff as we continue to pursue exactly how we need to get better data to this Committee, specifically, so that we can support the decisions that you'll need to make into the future.

The CHAIRMAN. Thank you.

Dr. Capuano, you mentioned the independent role of EIA and the fact that it is held out to be this unbiased arbiter, if you will, of data. I know this Committee certainly looks to the information that comes from EIA and we want to be able to rely on, not only its accuracy, but really, a very unbiased view.

I think it is fair to say that when you have political and policy questions that come together, there can be great discussions about whether or not there is some bias that is brought to it; however, when we are looking at baseline predictions of future energy markets and how different regulatory environments or different legal scenarios might change that baseline, this job, working within EIA, becomes more than a little bit complicated.

Basically what I am looking for this morning is the assurance that your work within EIA will be one that keeps us from the politicization or the bias that one can see. I believe the EIA needs to maintain that truly independent role, and I would like for you to speak to that.

Dr. CAPUANO. If appointed to this position, I will bring the years of experience I have in technology training and sorting out issues around data versus opinion. And so, I am very committed to working with EIA to make sure that the data is high quality, that it's credible and that it is not biased. And I'll just do my best to work to do that.

The CHAIRMAN. Thank you.

Senator Cantwell.

Senator CANTWELL. Dr. Petty, welcome. I'm sure the Boiler-makers are very proud of you.

[Laughter.]

Regarding the Yakima Basin project, I think you have probably had a chance, just because of its regional significance, to get familiar with that. It is very integrated in its planning. Do you support that project and making sure that it gets funded?

Dr. PETTY. Yes, Senator Cantwell, absolutely.

I look forward to working, obviously, with you, specifically. I have been working on multiple years on that specific water project, working with your staff which is a critical part into the part three section of where we're at now in that specific project.

As we move forward, the Bureau of Reclamation has been up here on numerous occasions to testify of what has been taking place there, interacting with Senator Risch specifically. What is important is how the State of Washington has actually stepped up in a huge way in this project as well, and I think there's some really good capabilities there for us to continue to develop and working with you on that and your staff.

Senator CANTWELL. So you support continued funding?

Dr. PETTY. Yes, continued with Reclamation's recommendations as well.

Senator CANTWELL. I think it is a great example of where we need to go on a problem that is not going away.

Dr. PETTY. Right.

Senator CANTWELL. By that I mean, I think it is a great example of where we need to go on other projects across the nation to more quickly expedite our response to drought conditions and things that we are facing.

So—

Dr. PETTY. Yes.

Senator CANTWELL. I look forward to working with you on that.

Dr. Capuano, on energy information, do you think EIA needs to analyze energy future contracts and commodity swaps and derivatives and how they affect the day-to-day oil price?

Dr. CAPUANO. That's a really good question.

It's a very complex issue and as I move, you know, if I am appointed to this position, I will spend time trying to understand the details of that, but again, our role in EIA would be to provide the data that would be necessary to be able to do that kind of analysis.

Senator CANTWELL. If you could take a look at that. This is language that we have passed out of the Senate and so, we think it is——

Dr. CAPUANO. I commit to take a look at it.

Senator CANTWELL. Yes, that would be great, and you can give us an answer on it.

It is very important that our energy markets are properly policed, and I know you mentioned distributed generation several times in your comments. That's great. We have definitely seen a lot of shenanigans in the energy market and, hopefully, we will continue to have a strong FERC that plays an oversight role, that polices them in a proper way. But at the same time, you need information and oftentimes the kinds of activities that we can see in manipulation you can see right in the energy data. That's why it is so important that you continue to play that oversight role in an important way.

So, to me, you need to collect information on a fully integrated financial market so that you understand the impacts. We had this for a long discussion in the ENRON crisis about how much future contract price affected the spot price market as well.

Of course, during that time period there was unbelievable manipulation and it consequently caused great havoc. Senator Risch and I were representing utilities and authorities that had to pay hundreds of millions of dollars in extra fees that we never should have paid and had to bail out California when we probably never should have had to. I don't think BPA ever got compensated for the amount of money that they ended up paying to California during the crisis. It wreaked havoc on the West Coast, and we never want to see it again. So having good policing on the energy information is critical to us.

Dr. CAPUANO. I do look forward to having more conversations on that topic and understanding what EIA can provide that you could use then.

Senator CANTWELL. Great.

We will get you the language that passed out of the Senate.

Thank you so much.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Risch.

Senator RISCH. Senator Cantwell, thank you for reminding me how much fun it was to pay a lot in California.

[Laughter.]

Madam Chairman, I really do not have any questions since I have spent so much time with Tim, and I want to give everybody the opportunity to have questions.

Tim, I wonder if you could take just a couple minutes and talk about some of the work that you have done on the Boise River that is so important to the people in the Treasure Valley in Idaho while you have been on my staff?

Dr. PETTY. Thank you, Senator, absolutely.

It has been an amazing experience and privilege to look at and focus in on the Boise River, working with the Army Corps of Engineers and, obviously, the number of dams that the Bureau of Reclamation holds, specifically, on that dam.

It's a combination of how do you balance the needs for the water irrigators in all the agricultural components around the Boise complex and the Boise project as well as balancing flood control. And that is so much of what the West is about. It's a high plain desert.

Once you put water on that amazing soil it produces an incredible amount of productivity agriculturally, but yet at the same time, it's the capital city of our state, of the State of Idaho. That combination is always in a complex way where you're dealing with those years of even drought and years of trying to manage to hold those specific areas of periods of flood.

That city is always on pins and needles during periods when there is significant spring rain, because you also have to rely on other agencies in that area of snow accumulation, how to manage it and how to work together. That is an amazing part of what both Governor Otter and yourself, with your years of experience, as you're working with all the agencies to really move forward in those specific focus on both water service as well as flood control which ties in both why USGS's water center there is in Boise but also the headquarters of the Northwest Bureau of Reclamations headquarters are there as well in Boise. So it really creates a nexus for a lot of important data and information so that both local, state and federal can work together.

Senator RISCH. Thanks, Tim.

I yield back my time, Madam Chairman.

The CHAIRMAN. Senator Hirono.

Senator HIRONO. Thank you, Madam Chair.

This is to both Dr. Petty and Dr. Capuano.

You have both been nominated to lead agencies where independent, scientific research is very critical to the mission of those agencies. Are both of you committed to scientific data to inform policy actions?

Dr. PETTY. Yes, I am.

Dr. CAPUANO. Yes, I am.

Senator HIRONO. Again, to both of you, is climate change real? Yes or no? You are scientists. Is climate change real?

Dr. CAPUANO. The EIA provides unbiased data to inform those kinds of discussions. They're very complex and the environment is very important. As the Administrator of EIA, if I am appointed, it would not be wise for me to take a position on any particular issue, but to make sure that accurate and credible data is provided so those issues can be debated and discussed.

Senator HIRONO. So you are saying that you sit here and you tell us that you do not know whether climate change is real or not?

Dr. CAPUANO. No, I said that it would be inappropriate for me, if I was appointed as EIA Administrator, to take a position on such a highly debated topic.

Senator HIRONO. Do you acknowledge that most of the scientific community have said that climate change is real and, in fact, the Department of Defense has testified that climate change is what is a tremendous issue for them impacting our national security?

Dr. CAPUANO. If you're asking if I'm aware of the debate, yes, I am very aware of the debate.

Senator HIRONO. And that most of the evidence in the scientific community says that climate change is real?

Do you acknowledge—

Dr. CAPUANO. Again, I'm aware that there is a lot of debate on that. There are those kinds of statements out there. But again, for me to take a position would introduce a bias that would hinder me as the Director of—

Senator HIRONO. Excuse me, you both said that you believe that science, scientific research, should inform. This is not about bias. We are relying on both of you to provide us with scientific data, not political positions, that would inform our decisions.

Dr. Petty, what is your view? Is climate change real?

Dr. PETTY. Yes, Senator, I want to just make sure that it's clear that climate change is real.

Senator HIRONO. Thank you.

Dr. PETTY. And—

Senator HIRONO. Should our policies reflect that fact, that climate change is real?

I will ask you, Dr. Petty.

Dr. PETTY. Yes, I think it's very important that we get the scientific data in the hands of decision-makers.

Senator HIRONO. You are both going to be working in an Administration where the President denies the reality of climate change and I would like to know, particularly from you, Dr. Petty, since you at least acknowledge that climate change is real, how would you react if you felt political pressure to suppress data or shape results to fit a political agenda, i.e., that climate change is not real? Can you give me an example of when, in your public life, because you have worked for a number of political people as well as Administrations, when in your professional life you have stood up to political pressure to put forth what you believe is science?

Dr. PETTY. Yes, Senator, and thank you for that question.

I think it's important that we realize that in the science community and as a scientist and looking at peer review that it's important that the science is clearly communicated in that area of resources that it then can be provided to the specific decision-makers.

So—

Senator HIRONO. Can you describe a time in your public life or a time that you have worked in various political offices where you have stood up to political pressure? Because that is part of your doctoral research, scientific knowledge into political action. You have a commitment to science to inform our policy decisions. When have you stood up to political pressure? Can you describe a time when that happened with you?

Dr. PETTY. I can give you some examples of where I have seen and worked with it specifically, working at the University of Alaska, Fairbanks, specifically on the Tanana River which has been part of my research where you're looking at different years at different times there is impact that takes place. As you build on those different research areas you're always challenged with those different scientific review.

And so, for me to be able to respond back to different examples is in the science community there are different reports that come out and you have to interact with those science communities because the scientific method and science of that is important to facilitate.



Senator HIRONO. Are you saying that you have always stood up to political pressure that your position is that you stand by your scientific research and that is what you intend to do with this Administration?

Dr. PETTY. I would very much want to commit to you that it's important that the science community is also heard and that their research that they're putting forward is also heard on both communities that are supporting in those different research areas.

Senator HIRONO. Well, with this Administration your voice is going to be very, very important and it's going to need to be very loud. I look forward, should you be confirmed, to hear what you have to say.

Dr. PETTY. Thank you, Senator.

Senator HIRONO. Thank you very much. I will have further questions for our witnesses.

The CHAIRMAN. Thank you, Senator Hirono.

Senator HIRONO. Thank you.

The CHAIRMAN. Senator Gardner.

Senator GARDNER. Thank you, Madam Chair.

And thank you to Dr. Capuano and Dr. Petty for your service. Congratulations on your appointments. Thank you for being here today.

Dr. Petty, I have to admit, while I can forgive your association with Senator Risch and the work in his office, I do not know that I can ever forgive any association of water work in California. As a Coloradan, I am very nervous about that, so—

[Laughter.]

But thank you for your willingness to serve.

Dr. Capuano, of course, the University of Colorado in your background. It is great to see a fellow University of Colorado Buffalo before the Committee.

So, thank you both.

In your testimony you talked about the work of the Bureau of Reclamation. Obviously something very important to us in the West, particularly in Colorado, when it comes to water storage and delivery.

I want to talk a little bit about how vitally important a project the Arkansas—the Bureau of Reclamation has in Colorado called the Arkansas Valley Conduit affecting about 50,000 of my constituents. This is a 130-mile pipeline with spurs that would serve as many as 40 communities, over 50,000 people East of Pueblo, Colorado. It is a project that would deliver filtered water to an area that is facing economic challenges and certainly water quality challenges. We have to make sure that we are supplementing existing water supplies because of increasing compliance issues from the federal and state governments regarding salinity, radionuclide contaminations and fresh groundwater availability.

This project, the Arkansas Valley Conduit, was authorized by Congress in 1962. President Kennedy actually came to Pueblo, Colorado, as part of this effort. It was not until 2009 where we changed some of the legislation surrounding the Arkansas Valley Conduit and the cost share agreements to a 65/35 split that allowed this project to move forward.

In 2017, Reclamation, as well as the Southeast Colorado Water Conservancy District, along with Pueblo Water, began discussions about a plan that would help change the layout of the pipeline design, a new concept that they came up with that would dramatically decrease the cost of the project. It is basically moving the pipeline a little bit further down the way so that they could hook up in to Pueblo Water and cut off some of the distance the pipeline would be required to go.

So, in instances like this where project sponsors successfully pitches a partnership that successfully reduces and drastically reduces the timeline of the cost of the project, can I get your commitment that Reclamation will give projects like the Arkansas Valley Conduit fair consideration that it will be done, that you will do everything you can to make sure the regulatory administrative processes do not endlessly bog down projects like this and that you will do what you can to make the case on the value and the advanced timeline at OMB?

Dr. PETTY. Yes, Senator, absolutely.

I want to make sure that it's clear. I was here in the hearings when you asked the same exact questions with Secretary Zinke as well as the nomination and now confirmed Deputy Secretary Bernhardt. And so, both of them have made sure that you and your staff will be dealing with those specifically individually.

I think Secretary Zinke has put together a great team in the water and science hallway, working with Commissioner Burman on these specific issues. We look forward to, obviously, working with you and your staff, specifically, to make sure that we can bring the full support of Reclamation into those specific areas and projects.

Senator GARDNER. Thank you.

Clean, abundant, affordable water, obviously a promise Congress made in 1962. I would like to see that move from—

Dr. PETTY. Absolutely.

Senator GARDNER. —pipe dream to pipeline and make sure we get this done.

The other issue I want to talk to you about, Dr. Petty, is in August 2015, as you know, EPA triggered a three-million-gallon spill of acid mine drainage into the Animas River in Southwestern Colorado. This area of Colorado is now a superfund site. EPA is responsible for remediation of the mines within the boundaries of the superfund listing.

There are over 160,000 inactive or abandoned mines throughout the country and many in the West. If you look at the Bureau of Land Management within the Department of Interior, 48,000 inactive or abandoned mine sites exists. The Forest Service has over 40,000 inactive, abandoned mines on land that it manages. You can imagine, if just 10 percent of these were creating environmental damage or harm to the environment, the sort of impact that that would have and the enormity of the challenge that we face.

If you go back to the 106th Congress, you can start to see legislation that has been introduced dealing with Good Samaritan legislation. Senator Domenici, Senators Salazar, Allard, Udall, and a number of others, Ben Nighthorse Campbell, have worked on Good Samaritan legislation to address these inactive and abandoned mine sites.

During the 109th Congress, this Committee reported out a bill that was co-sponsored by Senator Allard and Senator Salazar.

Given your expertise in hydrology, the work that you will be doing at Interior, you are going to hold some Interior Department oversight ability and be over our land management agencies as well.

Can I ask your opinion of Good Samaritan legislation, where you think it goes and what we need to do?

Dr. PETTY. Yes, Senator, another great point.

Working with that—I know you have a long history, even with Leadville and these different areas that specifically have mine issues that actually translate right into specific areas of water. So I look forward to specifically working with you on this 2015 impact that, obviously, has impacted multiple downriver communities because those are the direct impacts that come out of that.

Just based on our time and our effort, I really do look forward to sitting down with you, specifically, your staff, which I've been working with for multiple years now on how we can better work together and work with the Committee on EPW on behalf of Reclamation on these specific issues.

Senator GARDNER. Great. Thanks, Dr. Petty, Dr. Capuano. Thank you.

The CHAIRMAN. Thank you, Senator Gardner.

Senator Heinrich.

Senator HEINRICH. Let me start, Dr. Petty, by thanking you for your candid answer with regard to climate change science.

Dr. Capuano, is gravity real?

Dr. CAPUANO. Pardon? I didn't hear that.

Senator HEINRICH. Is gravity real? I mean, it is just a theory.

[Laughter.]

Dr. CAPUANO. Yes. Gravity is real. Yes.

Senator HEINRICH. We can't see it, but the data would suggest it is real.

Dr. CAPUANO. Yes.

Senator HEINRICH. What does the preponderance of the data suggest with regard to climate change?

Dr. CAPUANO. So, the EIA does present for the data around greenhouse gas emissions that is used to debate on both sides of that, that issue. And we all know that it is very important to protect the environment and that we need to work toward that.

But again, putting me into the position of taking a side on such a hotly debated issue would introduce bias as a leader of the EIA. And so, as an administrator I would have to refrain from answering that question.

Senator HEINRICH. Well, let's talk about bias then.

Dr. CAPUANO. Yes, okay.

Senator HEINRICH. Because the EIA has consistently and, actually, spectacularly underestimated growth in clean energy as well as growth in the gas sector.

For example, solar generating capacity was 4,813 percent more in 2016 than the EIA predicted in 2006. As another example, EIA predicted that 6.5 gigawatts of new wind generating capacity would be installed between 2017 and 2030. We are already installing more than that every single year.

The data and EIA's bias seem to have a chasm between them. Why do you think that is and what do you intend to do about it?

Dr. CAPUANO. The EIA is committed to collecting and presenting high-quality, credible data. In the modeling, the modeling activities and the data that's used in the models and the assumptions are transparent so that as you compare the trends with the actual data you can see what's driving the deviation.

As a technologist and with the years of experience that I've had, I am very committed to making sure that the data continues to be high quality, that accuracy is increased and that assumptions are improved. I'm highly committed to that. Independent of what the results are, meaning independent of what conclusion they lead you to, it is very important that the data quality continues to improve.

Senator HEINRICH. Do you think there is a problem at EIA, assuming that things will continue where they are rather than looking at where the trend lines are headed?

Dr. CAPUANO. Allow me to separate that question.

There are assumptions in the models that are used in order to create scenarios and are used in order to be the foundations of the trends.

Senator HEINRICH. I understand.

Dr. CAPUANO. Those assumptions are always being looked at and always are—there is always room to correct those and improve those and look forward to conversations to do that.

Those assumptions on the data that's entered into the model will lead to results. I don't see—I'm having difficulty with the discussion of where's the bias has entered—is inserted into that.

Senator HEINRICH. Well, junk in, junk out, right? I mean, that is what we all learn in school.

Dr. CAPUANO. Well, the solution—

Senator HEINRICH. And so, if you get the assumptions spectacularly wrong, you will get data out the other end or a result out the other end that does not match up with the data in a sometimes-spectacular fashion. And I think garbage in, garbage out, as my—

Dr. CAPUANO. Like quality in, quality out and the data that's collected by EIA is—

Senator HEINRICH. Do you think those predictions, the results that EIA has given to all of us, have been high-quality predictions?

Dr. CAPUANO. I believe that the information that EIA gives you is high quality and it is credible and that the sources are identified and that they can be improved continuously as the source of data is improved.

Senator HEINRICH. That did not sound like a yes or no answer.

Dr. CAPUANO. So, excuse me.

Senator HEINRICH. Yes.

Dr. CAPUANO. If you would mind re-asking the question, I could probably do a yes or no, please.

Senator HEINRICH. Do you think the quality of the predictions that EIA has made to this Committee and to the public have produced good results, results that were—

Dr. CAPUANO. EIA does not make predictions. What EIA does is it takes data and it models and it shows trends. I believe those are high quality based upon the available information.

Senator HEINRICH. Dr. Petty, you are so lucky today. I am out of time, so I am going to have to save all of my questions for you for the record.

But thank you once again for being able to answer a question in a straightforward way.

Dr. PETTY. Thank you, Senator. I look forward to actually getting some time with you and your staff in the future.

Senator HEINRICH. Thank you.

The CHAIRMAN. Thank you, Senator Heinrich.

Senator Flake.

Senator FLAKE. Thank you, Madam Chair, and thank you both for your willingness to serve.

Yes, Dr. Petty, you have a lot of experience, obviously at DOI, that will come in handy in this position because you have the Bureau of Reclamation within your purview. I am interested to know your views on Colorado River water. I am glad Corey left the building here.

[Laughter.]

Can you describe your vision for the Bureau in helping craft Colorado River policy, particularly how you see the Bureau or interacting with basin state representatives?

Dr. PETTY. Yes.

Well, Senator, thank you so much. I think that is a very important question, obviously, that you're working on, you have been working on. You've been working on it for many, many years. You have fabulous staff that understand this question, just dealing with the drought contingency that you're working through, trying to cooperate, obviously, building all the share takers. And also, obviously the new commissioner with Brenda Burman coming from your state. I think that the team that we've really put together, I look forward to being confirmed so that we can get specifically on your areas that we can work with you on how we're going to lay out, specifically, it has already been in the works with your staff and with the state in these specific areas.

Senator FLAKE. Thank you.

Specifically, with outstanding water rights claims, fixing these, it's obviously beneficial for all water users, not just tribes. The agency you will help supervise will play an important role here.

Do you want to talk about the Bureau and USGS as it relates to Indian Water Settlements?

Dr. PETTY. Yes, Senator.

It's very important that we continue to work through this Committee, specifically.

A perfect example, obviously, for the State of Idaho as well, which we've been working on for multiple years with the success that we've had working with the Nez Perce tribe, but then the Coeur d'Alene as well as the Shoshone-Bannock tribes with water settlements are really important that we've been working on for years.

I look forward to working, obviously, again, with your staff who fully understand the complexity of your state because I really do believe it becomes even specific region-by-region and area-by-area that you're trying to work through each of those water settlements

on. So, I look forward to working with you, Indian Affairs at DOI, to work those through.

Senator FLAKE. Great.

There are a number of USGS institutions in Arizona. They do important work in research and data collection to support water management. These include the Grand Canyon Monitoring and Research Center in Flagstaff and the Arizona Water Science Center in Tucson. Can you give some sense of how you see the USGS's role in continuing to provide this kind of research and data collection?

Dr. PETTY. Yes, you know, Senator, there's almost 300 U.S. Geological Survey staff in your state that specifically works on very complex areas, obviously, the Grand Canyon, the Glen Canyon Dam, that has been a partnership with Bureau of Reclamation and USGS for years on studying everything from invasives to sediment transport to flora and fauna within those different regions as well as, obviously, the ESA impacts that are there.

Those are a combination of working together to really build the science that comes back to that information for U.S. policymakers so people here on the Hill can move forward on what is the next step in the future of where we can go in putting in priorities for those specific areas.

Senator FLAKE. Thank you so much.

Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator Flake.

Senator Franken.

Senator FRANKEN. Thank you, Madam Chair.

I am going to just return for a second to Senator Heinrich's question.

The EIA releases annual projections of long-term domestic energy consumption and generation, its annual energy outlook. Now over the last few years a range of studies suggest that EIA has consistently overestimated oil and gas consumption and, as Senator Heinrich said, vastly underestimated the growth of renewables, especially distributed solar.

A study just last week from MIT reiterated the concerns surrounding the fossil fuel projections. The EIA responded to such criticisms in late 2016, but the agency has not indicated yet how it plans to address these inaccuracies pertaining to renewables.

I guess the question, more specifically than what Senator Heinrich asked, is will you commit to working to improve the modeling when it comes to renewable energy?

Dr. CAPUANO. So, if I am appointed I will—this is a very hot issue. It is a very important issue, and I'm very aware of that. It has big economic implications for the United States and many people rely on the EIA data in order to do their analyses and make decisions.

Senator FRANKEN. Absolutely. I remember the propane—

Dr. CAPUANO. Absolutely.

Senator FRANKEN. —crisis.

Dr. CAPUANO. Absolutely.

Senator FRANKEN. Which, you know, partly, and listen, you get things wrong sometimes.

Dr. CAPUANO. Yes.

Senator FRANKEN. And you get things right.

Dr. CAPUANO. Yes.

Senator FRANKEN. But on this one we are getting it wrong, consistently.

Dr. CAPUANO. Yes. On a theoretical level improving assumptions, improving the types of data that go into the models, improving the models, are theoretical ways to improve the accuracy relative to actuals.

I can commit, firmly, that if appointed to this position that I would be working very closely with EIA staff to understand the deviations and how to reduce that and how to improve it.

I look forward to any kind of conversations that can help inform us on changes that might make the models more, track more with what the actuals are.

Senator FRANKEN. Well, thank you for committing to that because, of note, the scenarios in the Annual Energy Outlook focus on high and low fossil fuel resources and technological change, but there is no scenario focusing on high renewable growth.

Do you agree that a scenario focusing on the quickly changing landscape of renewables could be a way to address some of these issues?

Dr. CAPUANO. Yes, I'll acknowledge that looking hard at the scenarios and their effect on being able to inform people so that they can do the analysis that needs to be done is really important. And I commit to take a look at that.

Again, but I'm not there yet. I don't know the details so I can't—

Senator FRANKEN. Okay, alright.

In Senator Risch's Subcommittee later this afternoon we are going to be talking about energy storage and energy storage is becoming more pervasive around the world, but it is not well represented in the modeling done by EIA.

In the 2017 Annual Energy Outlook the EIA committed to continuing to update and refine projections of technological change. Work that is especially important for energy storage as it becomes more ubiquitous and increasingly grid-connected. In particular, EIA committed to improving the representation of energy storage in future modeling work. Will you make model improvements a priority for energy, especially for energy storage?

Dr. CAPUANO. Again, not being there, not being in the position yet, I am aware that the EIA is working on their strategy, renewing their strategy and I look forward to working with the EIA team and understanding their thoughts on this and their commitments. I will pay special attention to these issues of storage.

Senator FRANKEN. Because storage is a real game changer.

Dr. CAPUANO. I understand, and I pay a lot of attention to those conversations.

Senator FRANKEN. Okay.

Dr. CAPUANO. As a citizen, I do agree.

Senator FRANKEN. Dr. Petty, thank you for your answer on the USGS's on making a commitment to not subverting scientific analyses. I know that Senator Hirono asked you that, and thank you for your answer.

Madam Chair.

The CHAIRMAN. Thank you, Senator Franken.

Senator King.

Senator KING. Thank you.

Mr. Petty, can you commit that you will put aside anything you learned from Senator Risch when you were going through this?

[Laughter.]

Ms. Capuano, you were interviewed for this job. You went through a process, I presume. Did anyone ever ask you in that process your views on climate change?

Dr. CAPUANO. I get asked that a lot.

Senator KING. Were you asked that question in the process of your being proposed for this position?

Dr. CAPUANO. Actually, I don't—it may have come up. I'm sorry, I just, I'm trying to remember all the conversations I've had. It may have come up. If it did come up, I did not express an opinion on it.

Senator KING. Were you asked any questions about fossil fuels and the importance of fossil fuels to our energy future?

Dr. CAPUANO. Well, I guess I would say that in the process of moving through the nomination and the potential appointment process, people have helped me and guided me through that process. I'm having trouble with the, you know, saying have I been asked my position on that, that was not the discussions around the process, so.

Senator KING. So no one in the process said, what are your views on climate change, or I think you said maybe they did, but you would have said I have no opinion? Seriously?

Dr. CAPUANO. Okay.

I'm trying to, you know, this process has gone on since February, so I'm trying to remember all the conversations honestly. The topics come up but the discussion has really been on what needs to be done in order to get confirmed and in order to complete the process.

Senator KING. But before you were being guided as to how to complete the process, somebody interviewed you to decide if you were the right candidate for this job.

Dr. CAPUANO. I would say that the, you know, in the volunteering to serve, it's not an interview for a position.

When you volunteer to serve during an Administration, there's discussions around your qualifications and discussions around your desire to have an impact, but I have not had discussions around what my position is and how that would relate to how I would execute the position, if I was appointed.

Senator KING. So is it fair to say that your testimony is that no one, when they were deciding whether to appoint you to this job, inquired about your position on climate change? Is that accurate?

Dr. CAPUANO. No, I said that there have—that they may have inquired and I declined to take a position.

Senator KING. What is your position?

Dr. CAPUANO. It would be inappropriate for me in, you know, in taking a position—if I complete this appointment to be EIA Administrator, if I'm successfully appointed to this position, it would be inappropriate for me to state a position on climate change.



The data, you know, the data are available. EIA provides the data. In fact, it has the high majority of the greenhouse gas data that is used on both sides of the argument comes from EIA.

Senator KING. That is why I am asking you these questions.

Dr. CAPUANO. Yes.

However, I don't, you know, providing the data and drawing the conclusion, I leave the conclusions to the people that want to set policy or have a debate on the issue. If I enter the debate, it taints my independence and I cannot present myself as unbiased—

Senator KING. So your testimony is you have not entered this debate at all.

Dr. CAPUANO. No, my—I have avoided this—no—

Senator KING. You are avoiding telling me, but my question is have you told anyone else in order to gain this—

Dr. CAPUANO. No, I have not told anyone my position on climate change in order to gain the appointment. I can say that with confidence.

Senator KING. Well, that gets to the second question which is really, I consider your job one of the most important in the Federal Government because it is all about data and we cannot make good policy unless we have good data.

I hope that your position which you have stated, which I am not necessarily disagreeing with, means that you will be absolutely straight on the data and that what worries me is that people whose job it is to present information data such as yourself or the head of the EIA not be tainted by the political desires of the people who you are reporting to.

Give me your commitment on that.

Dr. CAPUANO. You have my commitment that I will follow the data and I will—I have been fortunate not to have been pressured to take a position and I would not—and I do not intend to be pressured to take a position.

Senator KING. Thank you.

Thank you, Madam Chair.

The CHAIRMAN. Thank you, Senator King.

Dr. Capuano, I think you can tell from the questions, the inquiries here that each of us wants to see that the EIA continues to play that role of a very unbiased, a very much independent agency, and I hope that is where my colleagues are trying to go with this.

I appreciate that because I do think if you were to say that “this is my position,” rightly or wrongly, there will be others in the future that will say, aha, that conclusion was reached through EIA because it has an Administrator who has taken such a position.

It is a difficult place for you to walk because, I think, around here it is important that we be able to articulate where we come from on these issues. But again, you are being asked to head an agency that is, is a pretty analytical agency. And if it is not analytical and weighing evenly all the data that comes in, I do appreciate the recognition though that it is important that that data be good, solid, unbiased and, you know, not the garbage in, garbage out, but the good in, good out.

So, let me ask you about the, just the data collection. There's an incredible amount that is collected out there. This is the world of big data today.

But having said that, there comes a point where the EIA does not necessarily need to be expanding the amount of data that it collects. You have overlapping data requirements that come to other agencies whether it is other agencies within DOE or FERC, CFTC, the private sector also provides data about energy facilities and markets. You have some overlap that could create inefficiencies, that could create burdens.

Can you speak just a little bit to the effort that I think is important to avoid duplicative, or perhaps, overlapping, but also to making sure that as we seek to have as much data as we need, we're not expanding it so far that perhaps we have additional cyber risks, intrusions into privacy. There is a border here.

Dr. CAPUANO. So I can say that if I am appointed to this position that one of the first actions I would take is going through the strategic plan and understanding the priority of the objectives and then looking at how to achieve the objectives in the most efficient and effective way with the budget that we have. And so, while I don't know the details because I'm not there yet, that is the commitment I can make.

The CHAIRMAN. Are you concerned when we talk about cybersecurity and these risks, can you speak to that aspect of it?

Dr. CAPUANO. I am very concerned, but again, I'm not in a position to talk about the details because I have not, I don't know these details yet because I'm not part of EIA.

I consider it a very important topic and it's something that we all know that we need to be working to improve and secure ourselves and that the EIA data, I am sure, has a role in that.

And so, I really do look forward to going through the strategic plan and setting the priorities and looking for the balances that are required. And we all know there's never enough money to accomplish everything.

Making very well thought out decisions on priorities and effectiveness is really going to be an important part of this role.

The CHAIRMAN. We talk a lot in this Committee about cybersecurity. It is important on a host of different levels, but recognizing just the volume of data that EIA collects, some relating to critical infrastructure, other relating to data critical to well-functioning markets, I think it is important that cybersecurity be a high priority issue within the EIA and making sure that our critical infrastructure within the energy space is not compromised.

Mr. Petty, I have one last question for you here relating to water infrastructure.

We certainly recognize the need for water infrastructure, for hydropower and for flood control projects, to protect against drought. You mentioned stream gauges in Alaska. I continue to be astounded at how woefully inadequate our ability to just monitor or even get a baseline of what we have with our water resources.

We have extraordinary water resources but when you have development in a certain area, before you proceed with that you need to have an understanding as to the adequacy of your water sources.

In terms of water infrastructure and water management issues, how big of a priority do you see this in this new role that you have been nominated to fill?

Dr. PETTY. Senator, thank you so much for the question, and it is a priority.

The infrastructure aspect that we really need to be looking at, even within this body, that even have had multiple hearings here, have specifically talked about surface, subsurface infrastructure, specifically with water, pertaining specifically to Alaska. It's a huge challenge because you are dealing with so much adverse, even conditions in climate that absolutely destroys gauges.

And so, every year you're just dealing with the impact that takes place there. It is important that we still figure out the best way to gather that information and data, specifically, for the State of Alaska.

I'm really confident in which is also under the U.S. Geological purview, which is remote sensing capabilities. The technology that continues to develop, obviously the importance of Landsat which also comes to this Committee on these different areas and issues.

I really look forward to working with you and your staff on both sides of the aisle, specifically, on how we can continue to better gather information and data for infrastructure, infrastructure development as well with water, water quantity and water quality.

The CHAIRMAN. I appreciate that, and I am pleased that you are eager to take on this position. I think, when I look at the issues that impact my state and the role that USGS plays whether it is with mineral security that we mentioned or hazards, we have our share of volcanoes and earthquakes and landslides and wildfires and flooding. USGS does considerable and important work there and then on the water side, again, very, very important.

I appreciate you bringing your expertise to bear on this and look forward to working with you.

Gentlemen? Senator Risch or Senator King, any further comments?

Senator King.

Senator KING. Dr. Capuano, I am going to say a sentence I never thought I would say. You've got my vote by not answering my question.

[Laughter.]

I think that was exactly right, to not answer the question for the reasons the Chairman stated. And I thank her, I associate myself with her comments. As long as you did not answer that question to other people, which you have told me you did not, I think that is an appropriate position for someone who sits astride the data collection process.

What I have found and why I think your position is so important, in my experience in public policy if we have a shared understanding of the facts, the data, public policy is fairly straightforward and usually easy to develop.

When we don't have a shared understanding of the data or the facts, it's almost impossible. That is why what you are doing is so important at this moment in time as we are trying to make important, far reaching decisions about energy policy in this country. I just can't emphasize enough how important what you are doing is and your background. It looks to me like you were preparing for this job all your life, you just didn't know it.

I just hope you will remember what you are doing is really important and, should there be efforts above you or from the side to influence what questions are asked, what data is presented, I hope you will resist them just as you did my question this morning.

Thank you.

The CHAIRMAN. Thank you, Senator King.

I think that sums it up quite appropriately.

Dr. Petty, Dr. Capuano, thank you, thank you both for being here this morning. Thank you for your willingness to serve.

Again, as I mentioned in my opening, it is my intention to try to move both of your names before the Committee very quickly, hopefully so we can get things wrapped up before the end of the year. Both of these positions are important and necessary to Department of Interior as well as to the Department of Energy.

Again, we thank you. With that the Committee stands adjourned.  
[Whereupon, at 11:19 a.m. the hearing was adjourned.]

## **APPENDIX MATERIAL SUBMITTED**

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**U.S. Senate Committee on Energy and Natural Resources  
December 5, 2017 Hearing regarding the Nominations of  
Dr. Timothy R. Petty to be an Assistant Secretary of the Interior (Water and Science) and  
Dr. Linda Capuano to be Administrator of the Energy Information Administration  
Questions for the Record Submitted to Dr. Timothy Petty**

**Questions from Ranking Member Maria Cantwell**

**Question 1:** What do you believe is the role of science in informing decision-making?

**Response:** Policy decisions should be predicated on the evaluation of science as it is and application of the law. When scientific data is evaluated on its merits and used as a basis to make policy decisions that are honest to the science, policy-makers can help reduce conflicts and ensure that decisions are reliable and legally sound.

Policy decisions should be grounded in scientific analysis consistent with applicable law. Scientists are charged with the duty of providing scientific data and analysis, and policy-makers should evaluate the data on its merits. Policy decisions should be honest to the science and in doing so, policymakers can reduce conflicts and ensure decisions are fact-based, reliable and legally sound.

**Question 2:** The President's budget request proposes to cut USGS' budget by 15 percent, specifically cutting climate science by more than 45 percent. How will you ensure that the USGS is properly resourced to provide for the safety and prosperity of our country in light of climate change?

**Response:** If confirmed, one of my responsibilities will include identifying ways to ensure taxpayer money is spent wisely and efficiently, while also maintaining the core capabilities of the USGS. I look forward to working with Congress to identify the appropriate funding levels needed to accomplish the critical task of providing for the safety and prosperity of our country.

**Question 3:** We are already seeing the effects of climate change on precipitation across the west with decreased snowpack and earlier snowmelt. Increases in temperature also increases reservoir evaporation, decreasing the water supply. How will you help Reclamation adapt its water systems to become more resilient in light of changing conditions?

**Response:** Reclamation depends upon timely and accurate data to operate water projects through the West. USGS' extensive network of streamgages, runoff and groundwater monitoring stations provide Reclamation with real-time information to adapt to changing conditions. I will consult with Commissioner Burman and Department leadership on the Bureau of Reclamation's adaptive management strategies, if confirmed.

**Questions from Senator John Barrasso**

**Question 1:** Over the years, the maintenance backlog at the Bureau of Reclamation has grown to surpass \$3 billion dollars. This Congress, I re-introduced S.216, the Bureau of Reclamation

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Transparency Act. This bill would require the Department of the Interior to submit an asset management report to Congress that describes the status of maintenance needs at Bureau of Reclamation facilities.

If confirmed, how do you plan to address the deferred maintenance issues at the dams across the Bureau of Reclamation?

**Response:** Senator, I appreciate your interest in addressing Reclamation's deferred maintenance backlog. I understand the importance of providing transparent data collection, analysis and reporting for Reclamation's assets in order to assist policy-makers in allocating funding to the highest priority needs. If confirmed, I intend to consult with Department leadership as well as work with Congress to identify ways to meaningfully address this issue.

**Question 2:** If confirmed, will you work to provide Congress with a comprehensive assessment of the major repairs needed at these facilities?

**Response:** Yes.

**Question 3:** I often hear from ranchers, small businesses, and even the Wyoming State Water office that the federal permitting process for surface water storage is long, duplicative, and therefore unnecessarily expensive.

If confirmed, will you work to improve the pace at which permits are cleared?

**Response:** Yes.

**Questions from Senator Ron Wyden**

**Question 1:** Dr. Petty, as I am sure you are aware, Oregon has its share of water management issues, but we also have a deep history of stakeholders coming together to work through these issues. Several years ago I brought together folks in the Klamath Basin to reach agreements on how to manage scarce water in the Basin for a variety of critical needs – tribal, agricultural irrigation, fish and wildlife, and recreation. We got close to passing a bill last Congress that would have formalized the three Klamath Basin agreements, but unfortunately some of the agreements expired before a bill passed.

**Have you heard about the Klamath Basin water agreements, and if so, do you have any initial thoughts for how to address those issues going forward?**

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**Please outline how you view your role working with Bureau of Reclamation to engage all stakeholders towards a basin-wide solution, if confirmed as Assistant Secretary for Water and Science?**

**Response:** I have not worked directly on Klamath Basin water issues in several years, but I am aware of the important role the Bureau of Reclamation has in these discussions. If confirmed, I will directly work with Commissioner Burman and Department leadership, as well as states, local governments, and tribes, on the Bureau's continued coordination in the Basin.

**Question 2:** There is an Oregon project, Scoggins Dam just outside Portland, that is the first dam in the country, I believe, to be assessed using a Joint Authority to consider the possibility of additional water capacity while at the same time addressing the seismic issues at a facility. I wanted to flag this for you so you know of its importance to me and **get your commitment to working in a collaborative way with local partners to help this Joint Project move forward.**

**What is your familiarity with the Bureau of Reclamation's new "Joint Authority"?**

**Response:** I am not intimately familiar with Reclamation's execution of the new joint authority, but if I am confirmed, I look forward to working with you, your staff, as well as partners on the ground to address issues at Scoggins Dam.

**Question 3:** There are several federal Indian water rights settlements currently in negotiation in the United States. These settlements offer the opportunity to address outstanding Indian water rights and resolve water supply issues with multiple benefits for Indian and non-Indian communities alike while avoiding protracted, costly litigation.

One such example is the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) in Oregon. They continue to work with the State of Oregon and local stakeholders to craft a water rights settlement for the Umatilla River basin without harming existing water rights holders. The State of Oregon is supportive.

**Can you commit to supporting federal Indian water rights settlement negotiations and to working with CTUIR to implement a Umatilla Basin Water Rights settlement agreement?**

**Response:** Based on my experience working on Indian water rights settlements in Idaho, I understand the importance of negotiating settlements rather than pursuing protracted and divisive litigation. If confirmed, I will work closely with the Bureau of Reclamation, the Secretary's Indian Water Rights Office, the Congress, and the Administration to review and advance Indian water rights settlements.



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**Questions from Senator Steve Daines**

**Question 1:** A major problem in rural Montana is the lack of access to clean and reliable drinking water. Two rural water projects, the Musselshell-Judith Rural Water System and the Dry-Redwater Regional Water Authority System, have worked with Reclamation for over 12 years each in an effort to be authorized, and millions of dollars have been spent by the federal government, the State of Montana, and the local communities to secure clean water in central and eastern Montana. I have introduced legislation, the Clean Water for Rural Communities Act, which would authorize these two rural water projects in Montana. Authorizing these projects is a key step in providing clean and safe drinking water to nearly 36,000 Montanans and North Dakotans. The Bureau of Reclamation has stated it is up to Congress to authorize these two projects, due to the Rural Water Supply Act expiring last year. I am well-aware of the existing funding constraints on Reclamation's resources and prior project construction commitments. However, as stewards of taxpayer dollars, I am concerned about the funds, staff time, and overall effort put into these projects, with ultimately no action taken.

While we cannot turn back time, do you commit to ensuring Reclamation utilizes taxpayer dollars and limited resources appropriately and constructively?

**Response:** Yes.

**Question 2:** We often hear of high-profile water issues facing urban areas across the country. Securing the resources to ensure clean water is available for these communities receives a high level of attention. Do you commit to being a voice for rural communities across the West and in Montana that face severe water issues of their own?

**Response:** Yes. I understand the importance of encouraging strong rural economies and ensuring safe, reliable drinking water for rural communities.

**Questions from Senator Mazie Hirono**

**Question 1:** Being an island state presents a lot of unique challenges. While Hawaii is surrounded by an enormous amount of salt water, we have a limited amount of fresh water. As scientific discovery advances we are learning more and more about how important our native forests are to our fresh water supply. Yet, our native forests in Hawaii are consistently under attack whether it be by invasive species such as albizia, climate change, fire, or by fungal diseases such as Rapid Ohia Death.

Will you commit to working with me to ensure that Hawaii receives the resources necessary to protect our native forests and increase our water security?

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**Response:** I understand the relationship between Hawaii's native forested watersheds and the state's water supply, and your interest in protecting these vital resources. If confirmed, I look forward to working with you and your staff on addressing the challenges facing Hawaii.

**Question 2:** I understand that you were not involved with the FY 2018 budget proposal that cut USGS's overall budget by 15 percent, which severely cut nearly every mission area aside from Energy and Mineral Resources. However, going forward, will you advocate for budget resources for all mission areas so that USGS can continue to collect and disseminate impartial scientific information?

**Response:** If confirmed, one of my responsibilities will include identifying ways to ensure taxpayer money is spent wisely and efficiently, while also maintaining the core capabilities of the USGS. Collecting and disseminating impartial scientific information are certainly part of those core capabilities and if confirmed, I look forward to working with Congress on the appropriate funding levels to accomplish these critical tasks.

**Questions from Senator Catherine Cortez Masto**

**Question 1:** The Bureau of Reclamation, like so many other agencies within the federal government, have dealt with shortfalls in budgetary funding, which has hurt our government's ability, at times, to partner effectively with necessary stakeholder, and have sometimes inflicted negative impacts on our public lands, natural resources, and conservation programs.

Do you believe more funding would allow the Interior Department to be a better partner to industry and the taxpayer?

**Response:** While the Department looks to Congress to determine the appropriate level of funding for Departmental activities, it is important that the Department work with Congress to identify budget priorities. If confirmed, I will work with the Secretary, Deputy Secretary, Administration, and Congress to identify appropriate funding based on the President's budgetary priorities.

**Question 2:** The recent budget request for the Bureau of Reclamation is \$1.1 billion, a cut of \$209 million. The request proposes cuts for WaterSMART grants [the 50/50 cost share funding program used by irrigation/water districts, Tribes, and States can to quickly implement projects that conserve and use water more efficiently – and helping to increase use of renewable energy and protect fragile environment], water recycling and reuse projects, drought response, and rural water projects. The state of Nevada gets the least rainfall than any other state in the Nation so we

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have to be incredibly mindful of persistent drought conditions as well as infrastructure improvements.

- a. Do you believe these cuts will undermine these successful programs that help Nevada and the West respond to drought conditions in innovative ways?
- b. The Bureau of Reclamation operates significant facilities in both the Upper and Lower Colorado River Regions. How will these budget cuts affect needed rehabilitation of aging water delivery infrastructure in both regions?
- c. In rural communities, the availability of funding and resources to meet treatment standards and improve water reuse is more challenging. Do you believe that funding cuts will undermine your administration of these programs, if you are confirmed?

**Response to a, b, and c:** I recognize the importance of using an array of activities to address drought conditions in the West. As I am not at the Department, I cannot speak to efforts to develop the recent budget request. If confirmed, I will work with the Secretary, Deputy Secretary, Administration, and Congress to identify funding based on the President's budgetary priorities.

**Question 3:** Most people know the Colorado River is the economic engine of the southwest and supplies drinking water to 36 million Americans, and that the use of that water outstrips supply. The seven states, water users, federal agencies and even the country of Mexico have a history of close cooperation, which has become ever more important as drought and increased water demands have left the two big reservoirs, Lakes Powell and Mead, at all-time lows.

Projections show that if no action is taken to reduce water use, usage restrictions could devastate the environment, cripple our communities and agriculture, and stall the economy.

Several years ago, four large municipal water suppliers (Denver, Las Vegas, Phoenix and southern California) partnered with the U.S. Bureau of Reclamation on a pilot \$11 million "system conservation" program. This System Conservation Program (SCP) pays water users to conserve and dedicate extra water to storage in Lakes Powell or Mead. The program has successfully demonstrated that farmers and ranchers want to participate in programs that provide for temporary, compensated and voluntary reductions of water use. Now demand from farmers and ranchers is so high that the program can only afford one in four requests. In 2016, the Senate voted 77 to 23 to authorize an additional \$50 million for SCP, and it was included in the WIIN (WRDA) bill.

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As Assistant Secretary for Water and Science, will you work to continue and expand this market-based program that compensates farmers and ranchers for voluntarily conserving water?

**Response:** I am not up-to-date on the System Conservation Program but commit to learning more, if confirmed.

**Question 4:** Regarding the Colorado River, the years-long drought in the West have taken a toll on our water resources, as you know. Both the Lower Basin states and the Upper Basin States are working to develop Drought Contingency Plans (DCP) to improve water management in way that stabilizes reservoir levels. Lake Mead is one of the two largest storage reservoirs on the Colorado River system. Lake Mead water levels are important to Nevada because they determine whether a shortage is declared on the Colorado River. If a shortage is declared, Nevada would see a reduction in its water supply. The proposed DCP specifies voluntary reductions for each of the Lower Basin states in order to protect the water in Lake Mead. Meanwhile, the Upper Basin States are reviewing the DCP and developing actions of their own as well. If an agreement were to be implemented, my constituents especially would have greater certainty about the longer-term reliability of the Colorado River, supporting the economic and environmental health of southern Nevada.

As Assistant Secretary for Water and Science, will you exercise your authority and leadership to help the states finalize their DCPs, work with them on the legislation necessary to implement it, and then help them make implementation successful? Will you make finalizing the DCP a top priority of your office?

**Response:** I am not at the Department and unaware of the status of the Drought Contingency Plans; however, I do understand this issue's importance. If confirmed, I commit to consulting with Department leadership and getting up to speed as expeditiously as possible.

**Question 5:** As you know, USDA grant programs through its agency, the Natural Resources Conservation Service, provide hundreds of millions of dollars around the country for on-farm conservation projects that improve water management. The Bureau of Reclamation, through its WaterSMART water efficiency grant program, provides around \$24 million annually for water conservation projects proposed by its beneficiaries and other water suppliers. Last June, USDA and Reclamation agreed to coordinate these programs for on and off farm funding to maximize the benefits of both programs specifically in the Colorado River Basin.

As Assistant Secretary for Water and Science, will you commit to continue this cooperation?

**Response:** As I am not at the Department, I am unaware of the agreement between USDA and the Bureau of Reclamation, but commit to learning more, if confirmed.

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**Questions from Senator Martin Heinrich**

**Question 1:** Climate change is one of the greatest challenges of this generation. To mitigate its damaging effects to our infrastructure and economy, we need to have the best science. However, President Trump's FY18 budget reorganizes USGS' climate research programs and cuts funding for these programs by 24%. This cut would abruptly end data collection tracking how wildlife and fisheries are being affected by climate change, and hobble resource managers' access to the data they need to do their jobs.

What is your view of USGS's climate research programs? Should we cut those programs? Or should we listen to their data and conclusions?

**Response:** I am a strong supporter of USGS's climate research programs. If confirmed, one of my responsibilities will include identifying ways to ensure taxpayer money is spent wisely and efficiently, while also maintaining the core capabilities of the USGS. Collecting and disseminating impartial scientific information is certainly part of those core capabilities and if confirmed, I look forward to working with Congress on the appropriate funding levels to accomplish these critical tasks.

**Question 2:** It's no secret that I believe that this administration has shown a distrust of scientists and data, two invaluable resources that you would oversee as Assistant Secretary of the Interior for Water and Science.

In New Mexico, we have several proposed water projects—one on the Gila River, and one in the San Agustin basin—that could have devastating effects on the state's surface and groundwater. We need to be able to rely on the scientists and engineers at USGS and Reclamation to provide reliable data to local decision-makers.

If confirmed, will you make sure that the USGS and the Bureau of Reclamation continue to play their role as science-driven honest brokers, and that resource and water management decisions are based on facts and data?

**Response:** Yes.

**Question 3:** Across the West, our quality of life, tourism, and outdoor recreation are driving an economic resurgence and sustainable, healthy rivers and streams, lakes, and reservoirs are foundational to this economic growth.

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Whether on the Gila River in my state or the iconic Colorado River, how do we protect and promote these in-stream resources while ensuring we have reliable water supplies for farms, industry and municipal use?

**Response:** Senator, if confirmed, I will work with Secretary Zinke and Deputy Secretary Bernhardt, as well as in consultation with Congress, stakeholders, and tribes, to determine appropriate measures to address many of the immediate water issues facing the West, from recreation to water supply for industry.

**Question 4:** In New Mexico we have amazing resources in our Bureau of Geology and Mineral Resources and our Water Resources Research Institute, which receive significant funding through USGS' National Cooperative Geologic Mapping Program and Water Resources Research Act Program, respectively. However, President Trump's FY18 budget for USGS cuts cooperative mapping funding by 9% and eliminates funding for the Water Resources Research Institutes entirely. These cuts would harm important state and local data collection and the critical infrastructure decisions they inform.

If confirmed, will you support these important state and local partnership programs and work with me to restore their funding?

**Response:** While I am not currently at the Department and did not play a role in the President's FY18 budget, I can tell you that I have seen first hand the value USGS mapping activities and water resources research and information transfer. If confirmed, I look forward to working within the Department and with Congress to establish budget priorities for USGS.

**Question 5:** Our rural communities depend on a secure water supply for their economic growth. In New Mexico, we have two shovel-ready rural water projects awaiting full funding through the Bureau of Reclamation: the Navajo-Gallup Water Supply and Ute Pipeline projects.

Will you work with me to ensure these critical infrastructure projects are completed in a timely and cost-effective manner, so that these rural communities have a water supply they can depend on?

**Response:** Yes.

**Question 6:** The Bureau of Reclamation's WaterSmart program has been a critical source of funding to New Mexico utilities and irrigation districts for investments in conservation measures and modern, efficient water infrastructure.

Will you work with me to increase funding and capacity for the WaterSmart program?

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**Response:** If confirmed, I will work with the Secretary, Deputy Secretary, Administration, and Congress to identify funding based on the President's budgetary priorities.

**Question from Senator Debbie Stabenow**

**Question:** The U.S. Geological Survey (USGS) plays a critical role in developing technologies to combat the spread of Asian carp in the Great Lakes basin.

If confirmed as Assistant Secretary for Water and Science, you would be responsible for overseeing the work conducted by USGS scientists. Can you pledge that under your leadership, decisions at the USGS will be guided by sound science rather than political considerations?

**Response:** Yes.

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**Question from Senator Ron Wyden**

**Question:** Dr. Capuano, in your written testimony you mentioned EIA's "independent role in providing unbiased information and analysis" to inform stakeholders. However, I am concerned that, under the Trump administration, websites at agencies such as the Department of Energy and the Environmental Protection Agency have been changed to remove references to climate change. According to the Environmental Data and Governance Initiative, the "Energy Kids" page on the EIA website was revised after President Trump was inaugurated. One example of such a change was deleting a sentence on the coal page under the subheading, "Emissions from burning coal" which read, "Burning coal produces emissions that adversely affect the environment and human health." To me, changing a website for children because of political influence, either real or anticipated, is a pernicious attempt to distort the facts.

On February 21, 2017, the EIA issued a press release saying that, "Contrary to the headlines and content of the articles [that had appeared in the press], EIA has never been contacted by anyone in the new administration regarding the content of any part of EIA's website." However, the EIA did not deny that specific change to the Energy Kids website was made after President Trump's inauguration.

I am concerned that government officials, though direct or indirect political pressure, are purging data and analyses from the web because President Trump does not believe in climate change, as he has said on numerous occasions.

**Will you commit that, if appointed, EIA data, analyses, and projections will not be influenced by direct or indirect political pressure?**

**Answer:**

If confirmed, I will be committed to the independence of all of EIA's work. I stated clearly in my oral testimony how important the independence of EIA's data and analyses have been to me professionally.

**Question from Senator Jeff Flake**

**Question:** EIA has developed two metrics for assessing the marketplace competitiveness of energy technology – the Levelized Cost of Energy (LCOE) and the Levelized Avoided Cost of Energy (LACE). The LCOE is most commonly used by the media when discussing renewables, citing from EIA's annual reports. However, EIA has written that LCOE is "not generally appropriate when considering unconventional resources like wind and solar." The LACE metric was created to address these flaws, but is poorly understood. What are your plans for EIA to work on a better way to communicate LCOE, LACE and the appropriateness of each in a manner that is easy for the public to understand?



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**Answer:**

These are difficult concepts to simplify and LCOE and LACE are summaries of much more complex calculations performed by EIA's National Energy Modeling System and other industry models that represent electric capacity expansion and dispatch costs. You are likely aware that EIA has a substantive paper on the subject on its website that tries to explain these two concepts in great detail ([https://www.eia.gov/outlooks/aeo/pdf/electricity\\_generation.pdf](https://www.eia.gov/outlooks/aeo/pdf/electricity_generation.pdf)).

If confirmed as Administrator, I will work with the EIA staff to better explain these two concepts to the public.

**Question from Senator Steve Daines**

**Question:** According to the EIA, coal exports have increased from 12.6 million short tons in the third quarter of 2016 to 21.8 million short tons in the second quarter of 2017. Much of that growth is due to an increased use of coal in Asia. Again, according to the EIA, we have already doubled the amount of coal exported to Asia in 2017 as compared to 2016 exports. Despite this growth, our busiest export terminals are on the east coast, with very little coming from the west coast terminals. Only 17% of our coal is leaving out of west coast terminals, despite 38% of our coal going to Asia. I believe it is important that we approve and begin construction on export terminals on the west coast, including the Millennium Bulk Terminal, to meet the demand for coal in Asia.

EIA information is vitally important to our work here in Congress. Do you commit to providing science and fact-based information so that Congress and the administration have the tools we need to make important energy-related decisions?

**Answer:**

If confirmed by the Senate, I will maintain the highest standards of data quality and ensure the independence of all of EIA's analyses.

**Question from Senator Joe Manchin III**

**Question:** I'd like to stress how much we rely on the Energy Information Administration, and how important it is that we continue to have accurate and reliable information, as it helps us make data driven decisions. In your written testimony you mention there are challenges facing the Energy Information Administration in what you call "this dynamic energy environment."

If you could please elaborate on the challenges the Energy Information Administration currently faces and how do you intend to address them should you be confirmed.

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**Answer:**

I believe there needs to be work on EIA forecast modeling. The market is so dynamic that the forecasts can deviate from reality and we should work to bring these closer together. I will work on this topic and with the EIA staff to continue to improve the EIA short-term forecasts and long-term projections.

**Question from Senator Mazie Hirono**

**Question:** In Hawaii, 9 percent of all electricity comes from distributed solar systems at homes or businesses, the second highest level in the country. It is an important part of the state's effort to achieve 100 percent renewable power by 2045. The Energy and Water Appropriations Bill passed by the Appropriations Committee last year and this year includes report language I requested indicating the support of the Committee for EIA's recent efforts to collect information on distributed generation. EIA's practice since December 2015 of publishing monthly state-level estimates of small-scale solar power generation helps companies and regulators in Hawaii and across the nation improve forecasting of power supply and demand.

If you become Administrator, will you commit to continuing the collection of monthly information on distributed solar capacity and generation?

**Answer:**

Yes, to the extent authorized and required by law, I will commit to EIA's continuing collection of monthly distributed generation information and publication of monthly solar generation estimates by state. My understanding is that EIA currently requires utility companies to report the capacity of small scale distributed generators connected to their systems. EIA also collects capacity and sales information from the businesses that install rooftop solar systems that they continue to own. All of this information is collected so it can be reported by state.

**Question:**

Will you lead efforts to expand EIA's monthly state-level information collection to other forms of distributed generation and energy storage beyond pumped hydropower systems?

**Answer:**

Yes, to the extent authorized and required by law. I understand that capacity data is currently collected for the following technologies:

- Photovoltaic solar
- Combustion turbines (often referred to as "micro-turbines")
- Fuel cells
- Steam turbines
- Internal combustion diesel engines

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- Wind turbines
- Hydroelectric
- Electricity storage
- Other

I understand that estimating the generation by technology is more challenging since this information is not available from the utility companies, and it is impractical to survey, for example, individual homeowners. EIA has developed a method to estimate generation for rooftop solar. I understand the next step is to develop a means of estimating generation from small-scale wind turbines. If confirmed, I intend to support these efforts consistent with legal requirements.

**Questions from Senator Tammy Duckworth**

**Question 1:** The Energy Information Administration (EIA) plays a critical role in ensuring we have accurate and timely data for policymaking. However, EIA has a long history of inaccurate forecasting, especially in the renewable energy sector. For example, EIA predicted in 2006 that approximately 0.8 gigawatts (GW) of solar power would be installed in the U.S. by the end of 2016. The actual number was closer to 40GW – 4,813% greater than EIA’s estimate. Similarly, EIA made inaccurate predictions for fossil fuel consumption by overestimating the total amount of fossil fuels we would be consuming over the same time period.

If confirmed, how will you improve EIA’s forecasting models?

**Answer:**

Forecasting models include assumptions, data, and methodologies. If confirmed, I will work with the EIA team to assess the quality of the assumptions and data, and the robustness of the methodologies that represent domestic energy markets. That assessment will lead to areas for focus and improvement. That focus can include collaboration with other institutions to compare methodologies and learn about new approaches to modeling.

**Question 2:** EIA collects and presents data on greenhouse gas emissions in the energy sector, which is critical to informing what our Nation’s long-term climate policy should be. During your confirmation hearing, you stated that it would be inappropriate to comment on whether climate change is real.

If confirmed, will you commit to continuing to publish EIA’s greenhouse gas emission data?

**Answer:**

As I stated at the hearing, if confirmed, I will honor EIA’s longstanding role as an independent source of information related to CO2 emissions.

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**Questions from Senator Catherine Cortez Masto**

**Question 1:** Have you received any directive or experienced any pressure to change the way EIA approaches or refers to climate change in its analyses or public reports and communications?

**Answer:**

No, I have not at all. As I stated at the hearing, if confirmed, I will honor EIA's longstanding role as an independent source of information related to CO2 emissions.

**Question 2:** A Washington Post story from May 26, 2017 quotes an anonymous DOE official who said career staffers were toning down climate change language on their own initiative to avoid attention and keep budgets intact

I understand that statistics and analysis produced by EIA is by law independent from policy direction set forth by different Administrations. However, statistics and sound science must be communicated to the public very exactly, or else they are no longer of use for the public good – which would go against the mission and purpose of the EIA.

Would you be concerned if EIA experts either expressed concern or began changing the use of language being used to avoid political scrutiny or unwanted attention from elsewhere in the Administration or from outside influence?

**Answer:**

If confirmed, I would confirm to all of EIA staff that the role of the agency is to be a source of quality data and objective analysis. Discussing external political views is not within the duties of the EIA.

**Question 3:** Will you commit to maintain the openness and transparency that EIA is known for, and to preserve the integrity in how the data collected and presented to the public, regardless of the beliefs or policies held by the President, Secretary, or any other member of this Administration, or any external stakeholders?

**Answer:**

Yes. As stated at the hearing, if confirmed, I will honor EIA's longstanding role as an independent source of information.

**From:** [badams.ak@gmail.com](mailto:badams.ak@gmail.com) on behalf of [Barbara Adams](#)  
**To:** [fortherecord \(Energy\)](#)  
**Subject:** Support for Dr. Timothy R. Petty for Assistant Secretary of the Interior (Water and Science)  
**Date:** Tuesday, December 5, 2017 1:36:52 PM

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To the Committee,

I would like to offer support for Dr. Timothy R. Petty for Assistant Secretary of the Interior (Water and Science). Dr. Petty was an exceptional PhD student at the University of Alaska Fairbanks while enrolled in my research processes courses. His tenacity, focus on quality science, and desire to communicate science well to decision makers, the public, and other scientists are key to his success, if confirmed, in his role as Assistant Secretary of the Interior. Tim will uphold the focus on science and data. Tim is a kind, hard working man, with high integrity and strong morals. He will serve the department well in his new role as he has done in his previous roles.

Sincerely,  
Barbara

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THE HONORABLE DIRK KEMPTHORNE

BOISE, IDAHO



WASHINGTON, DC

December 19, 2017

The Honorable Lisa Murkowski  
Chairman  
Energy and Natural Resources Committee  
United States Senate  
304 Dirksen Senate Building  
Washington, DC 20510

The Honorable Maria Cantwell  
Ranking Member  
Energy and Natural Resources Committee  
United States Senate  
304 Dirksen Senate Building  
Washington, DC 20510

Re: Dr. Timothy R. Petty  
Proposed Nominee  
Assistant Secretary of Water and Science, U.S. Department of the Interior

Dear Chairman Murkowski and Ranking Member Cantwell:

I am writing to wholeheartedly endorse the nomination of Dr. Timothy R. Petty to become the Assistant Secretary for Water and Science at the United States Department of the Interior.

Tim has already and ably served our Country. When I was Secretary of the Interior, I worked directly with Tim on many difficult issues. Dr. Petty is thoughtful, he listens to all viewpoints, and he is a problem solver.

Importantly, Tim has experience in working on issues related to water and science. These skills are essential for the policy leader who will oversee the Bureau of Reclamation and the U.S. Geological Survey. If confirmed, Tim will have a keen understanding as to how the United States, and particularly our states, will benefit from a careful balancing of Federal authority versus the interests of the states in protecting water, natural resources and environment the citizens of our states live in, cherish, and depend on for their livelihoods.

I look forward to this Committee's endorsement of Dr. Petty to serve at the Department of the Interior. Please let us know if I can provide you any further information for my endorsement of Tim Petty.

Sincerely,

GOVERNOR DIRK KEMPTHORNE

cc: The Honorable Jim Risch



December 4, 2017

The Honorable Lisa Murkowski, Chairwoman  
The Honorable Maria Cantwell, Ranking Member  
Committee on Energy and Natural Resources  
United States Senate  
304 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Murkowski, Ranking Member Cantwell and Members of the Committee:

On behalf of the membership of the Pacific Northwest Waterways Association (PNWA), I strongly endorse Dr. Timothy Petty as the next Assistant Secretary for Water and Science of the U.S. Department of the Interior.

PNWA is a regional trade association established in 1934 to address federal policies related to navigation and other transportation, trade, energy, and environmental issues. Our membership includes over 130 public port authorities, utilities, agricultural producers, towboat companies, steamship operators and forest products manufacturers from Oregon, Washington, and Idaho. We encourage responsible management of water resources in our region, including for the safe and efficient movement of goods from our Northwest ports to the global marketplace.

PNWA has worked with Dr. Petty for a number of years on issues related to Idaho State and to the entire Northwest. He has served as a respected leader, with a thoughtful approach to addressing extremely complex issues like the Columbia River Treaty and the Federal Columbia River Power System Biological Opinion ("FCRPS BiOp"). In his role as Deputy Legislative Director with U.S. Senator James E. Risch (ID), Dr. Petty has shown time and again that he is able to examine matters through a broad lens, taking a holistic approach to addressing opportunities and challenges for the entire Northwest and the nation. In addition, he is always willing to listen and thoughtfully consider varying perspectives, even when they differ from his own.

Dr. Petty's expertise and approach have been invaluable to our membership, and we believe will serve him extremely well as Assistant Secretary for Water and Science, including overseeing the Bureau of Reclamation (Reclamation). Our members interact with a number of federal agencies, and work most closely with Reclamation as part of the FCRPS BiOp. As such, we are keenly aware of the effort it takes to balance the needs of ESA-listed species with navigation, hydropower, irrigation and other uses. We realize the technical understanding, deep knowledge, and careful consideration it takes to be involved in solutions to these types of complicated issues with a wide range of impacts and stakeholder perspectives. We believe Dr. Petty is an accomplished candidate that encompasses all of these characteristics and the many others that are needed to lead a federal agency.

PNWA respectfully requests that you support Dr. Petty's nomination as the next Assistant Secretary of the Interior for Water and Science. We are very confident that he will serve the Administration and our nation exceptionally well in this role.

Sincerely,

Kristin Meira  
Executive Director, PNWA

Pacific Northwest Waterways Association  
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# USGS COALITION

January 3, 2018

Dear Senators,

On behalf of the USGS Coalition, we would like to thank you for your prompt consideration of the nomination of Dr. Tim Petty to be Assistant Secretary for Water and Science at the Department of the Interior. The position oversees the U.S. Geological Survey and the Bureau of Reclamation.

Dr. Petty brings both scientific and policy experience to the assistant secretary position, which he previously filled in an acting capacity. In addition to his years of experience on Capitol Hill and in the Department of the Interior, he has a Ph.D. in water science and policy and an M.S. in the geosciences. Members of the USGS Coalition who have worked with Dr. Petty have found him to be a willing partner. We look forward to continuing to work with him in his new capacity.

*The USGS Coalition is an alliance of more than 85 organizations committed to the continued vitality of the USGS and its ability to provide critical data and services that support responsible natural resource stewardship, improve resilience to natural and human-induced hazards, and contribute to the long-term health, security, and prosperity of the nation.*

Sincerely,



Elizabeth A. Duffy  
Co-chair



Julie Palakovich Carr  
Co-chair

